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ABSTRACT

This booklet presents a set of secondary-level classroom strategies for examining American history in light of the issues identified by the American Issues Forum. Emphasis is on examination of the role and actions of the President of the United States. These materials, called modules, form Part II of the topic, "A More Perfect Union: The American Government." Data and descriptive analyses on a broad range of topics are contained in the report, as are questions and topics for discussion on each subject. Among topics included are the following: a description of the president's actions during a typical two-week period; the text of a proclamation by the president on United Nations Day; a column by Art Buchwald on Richard Nixon; a presentation and examination of the Articles of Impeachment in the Constitution; a section of the Congressional Record dealing with impeachment; the text of President Ford's pardon of Nixon; information on presidential decision making; a definition and disucssion of the federal bureaucracy; and a discussion of and some samples taken from the Federal Reigster. Input from teachers and students is requested because the materials are presented in field-test form and can be modified before they are produced as a final set of strategies. An evaluation form for the set of modules is included. (Author/DB)

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MATERIALS FOR USING AMERICAN ISSUES FORUM IN THE AMERICAN HISTORY CLASSROOM

TOPIC IV: A MORE PERFECT UNION: THE AMERICAN GOVERNMENT

Part II

SS 009 102

The University of The State of New York
The State Education Department
Bureau of Secondary Curriculum Development
Albany, New York 12234
1976

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Chief, Bureau of Social Studies Education
Donald H. Bragaw

FOREWORD

This set of modules and succeeding sets to be mailed during this school year have been produced in consonance with the program of the American Issues Forum, under a grant from the National Endowment for the Humanities. The classroom strategies are intended to provide suggestions for examining American history in the light of the issues identified by the national committee which proposed the American Issues Forum. In view of the topical nature of the 11th grade social studies program, this can be done without seriously disrupting most teaching programs.

The materials are in fieldtest condition, so that classes and teachers may provide input concerning learning experiences which prove to be most useful. Some assessment of each strategy used by some or all of the students and suggestions of modifications or substitutions will help the Department produce a final set of strategies which will carry the themes of the American Issues Forum into the future, as we look beyond the Bicentennial year.

The Evaluation Form appears on page iv.

These modules form Part II of 3 parts for the topic, *A More Perfect Union: The American Government*.

Gail F. Hubbard, a former teacher at Ithaca High School, developed these materials as part of the work being done under a grant from the National Endowment for the Humanities. Donald H. Bragaw, Chief, Bureau of Social Studies Education, is coordinating the project. The manuscript was prepared for publication by Janet M. Gilbert, associate in Curriculum Development.

GORDON E. VAN HOOFT, Director
Division of Curriculum Development

EVALUATION FORM FOR
A MORE PERFECT UNION: THE AMERICAN GOVERNMENT

1. Classroom strategies used (list by pages)

2. How many students were involved in using this material?

3. Were the reading passages/statistical materials/graphics within the comprehension level of most of the students using them? (list by pages and indicate how satisfactory each was, if a single answer does not apply)

4. Were the suggested questions, and/or the learning strategies interesting and helpful to students in reaching the understandings or developing the desired concepts? (list by pages and indicate how satisfactory each was, if a single answer does not apply)

5. Please suggest substitutions of readings/statistics/graphics which you think would be more appropriate.

6. Please suggest modifications of the learning strategies to make them more effective for more students.

Send descriptions of learning strategies, with references to reading passages, etc., which you have found effective in teaching these same understandings or concepts.

Your signature and school identification is optional; we'd like to give you credit, if we use any of your ideas!

MATERIALS FOR USING AMERICAN ISSUES FORUM

IN THE AMERICAN HISTORY CLASSROOM

TOPIC IV: A MORE PERFECT UNION:
THE AMERICAN GOVERNMENT

Part II

THE PRESIDENT - LEADER OF ALL/SOME OF THE PEOPLE

The President spent much time outside of Washington, D.C. during the two weeks in October. He made trips to Elkins, West Virginia where he participated in the Elkins Festival Parade; to Knoxville, Tennessee where he was interviewed by local reporters on television and held a question and answer session with participants in a White House Conference on Domestic and Economic Affairs; to Newark, New Jersey where he addressed a Republican Fund Raising Dinner; to Detroit, Michigan where he held a news conference for local reporters and addressed a Republican Fund Raising Dinner; and to Hartford, Connecticut where he addressed the Connecticut Association of Realtors and a Republican Fund Raising Dinner. In Washington, D.C., he appeared at a reception for the American Society of Oral Surgeons and at the convention of the National Association of Food Chains.

- How would you describe the primary purpose of these Presidential actions?

During these two weeks, the President made a short statement at the United States Navy Bicentennial Ceremony at the Washington Navy Yard. He greeted the participants in the Washington World Law Conference in the White House Rose Garden. He greeted the Soyuz team in the same setting.

On October 13, President Ford issued Proclamation 4400. After reading the proclamation, answer the following questions. (See pages 47-48.)

- How does the President use the opportunity of issuing a proclamation to make some points about American foreign policy objectives?
- Why do you think he mentions the "International Women's Year"?
- What is the primary objective of the President's actions in regard to the Navy Bicentennial, the World Law Conference, and Soyuz team?
- What is the primary objective of the Presidential Proclamation?
- How does the President's role as described in the actions above differ from his role as described on the previous page?

Explain why these two different Presidential roles might conflict.

- Two major networks refused to carry the President's Address on Federal Taxing and Spending, saying that it was a campaign speech. How does this decision reflect the conflict between the President's two roles?
- How might a President's effective action in one role reduce his ability to carry out the other?
- Which of these roles do you feel is the more important role? Defend your answer with specific examples.

United Nations Day, 1975

Proclamation 4400. October 13, 1975

By the President of the United States of America
a Proclamation

Each year, throughout the world, nations commemorate October 24 as United Nations Day. This year is the 30th Anniversary of the United Nations Charter. Originally with 51 nations as members, the United Nations today includes 141 nations, thus membership is nearly universal.

The primary purpose of the United Nations is to maintain international peace and security. Had the work of the organization included nothing more than its efforts for peace in the Middle East--through truce observers, emergency forces, and mediation services it would have justified its existence. But its record of achievement is far greater, and it continues to face new tasks with skill and imagination.

Today, the United Nations is adjusting to the new realities of economic interdependence. At the Seventh Special Session of the United Nations General Assembly in September of this year, great progress was made toward reaching agreements through which the interests of all nations--less developed as well as developed--can be promoted through cooperative action. In the field of economic development, as in peacekeeping, the United Nations has proved its usefulness to all its members.

The United Nations also has accelerated its efforts to stress the individual rights of women and the need to use their talents for the progress of society. By its designation of 1975 as "International Women's Year" the United Nations has recognized the importance of women's increasing contributions to the cause of peace and friendly relations among the Nations of the world.

Many important tasks are still before the United Nations. These include agreements on Law of the Sea, procedures to eliminate torture and efforts to control debilitating diseases. We cannot be satisfied until great progress has been make in these and other areas of international concern.

I ask the American people to look at the United Nations with true perspective--neither exaggerating its accomplishments nor ignoring its shortcomings, but seeing clearly its record and its potential for constructive action in the best interests of the United States and of all other members.

NOW, THEREFORE, I, GERALD R. FORD, President of the United States of America, do hereby designate Friday, October 24, 1975, as United Nations Day. I urge the citizens of this Nation to observe that day with community programs that will promote the United Nations and its affiliated agencies.

IN WITNESS WHEREOF, I have hereunto set my hand this thirteenth day of October, in the year of our Lord nineteen hundred seventy-five, and of the Independence of the United States of America the two hundredth.

GERALD R. FORD

[Filed with the Office of the Federal Register, 10:02 a.m., October 14, 1975]

On October 9, 1975, the President held a nationally televised news conference. You now know a great deal about the President's two weeks in October. Only selected questions from this news conference are given.

(See page 49.)

None of the President's answers have been included.

Select one of the following activities. In each case, try to answer as the President would answer. If necessary, review to be sure that you understand his positions on the issues.

1. Answer five of the questions in writing.

2. Have members of the class suggest answers to the questions. Then try to agree on the answer that would most likely have been given by the President.

3. Select one member of the class to act as President. After the "President" has answered the questions, decide as a group how closely the answers given resemble those that would have been given by the President.

After the press conference is finished and/or the questions answered, define the President's position on the question of federal taxes and spending.

Compare your position with the position of the President. Where do you agree? Where do you disagree?

Select on of the following activities.

1. Write a short paper comparing your position with that of the President.

2. Make a diagram showing your position and the President's position on the issue.

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3. Draw a cartoon showing your position and the President's position on the issue. (The positions could be the same. In that case, show yourself helping the President in some way.)

4. Prepare a campaign speech in which you give your position on the issue. Really try to convince your reader, or your audience if you actually give the speech, that your position is the only true possible stand.

5. Hold a debate on the statement: The President's Federal Taxes, and Spending Program Can Reduce the Power of the Federal Government.

THE PRESIDENT'S NEWS CONFERENCE OF OCTOBER 9, 1975

THE PRESIDENT. Good evening. Won't you sit down, please? How are you all tonight?

THE PRESIDENT'S PROPOSAL ON FEDERAL TAXES AND SPENDING

Q. Mr. President, you have said that, or have indicated, or some of your people have, that you would veto a tax bill if it is not tied to this budget ceiling. My question is: Would you really shoot Santa Claus in an election year?

Q. Mr. President, could I follow that and ask you, have you taken any polls to find out whether the American people really support this program, because you and others have said that the American people want this? How do you know they want this?

Q. Mr. President, to stay with the tax and spending program, critics of the program say that since your $28 billion in tax cuts would start on January 1, about 9 months before the spending cuts, that what you really have is a highly inflationary fiscal policy for the first part of next year. What is your response to that, sir?

Q. Mr. President, to follow that, would you say why you went as high as $28 billion at a time when your economic advisers suggested that economic recovery was not on schedule but ahead of schedule?

Q. Mr. President, there has been talk about the great difficulty of combining the tax cut with the Government expenditure ceiling in one package. And we asked Mr. Greenspan [Chairman of the Council of Economic Advisors] and Mr. Simon, [Secretary of the Treasury] and they say, well, that is up to Congress. Well, you are an expert in that subject as a former House minority leader. What would you suggest along that line?

AMERICAN CIVILIAN TECHNICIANS IN THE MIDDLE EAST

Q. Mr. President, it now seems pretty certain that Congress will approve sending American civilians to the Sinai. [Press Conference October 9]. My question is: Will any of these Americans be drawn from the military establishment, CIA, or the intelligence agencies, and is recruiting underway now?

ENERGY INDEPENDENCE AUTHORITY

Q. Mr. President, on another subject, the Vice President says that high-level Administration critics of your $100-billion energy plan should either support the plan or resign. Do you agree?

CONGRESSIONAL SALARIES

Q. Mr. President, we hear you make lots of speeches about your determination to hold inflation down. I wonder if you could tell us why you signed a bill that gives Congress a vested interest in inflation and ties their salaries to the cost-of-living index?

CANCELLATION OF LOUISVILLE TRIP

Q. Mr. President, there are reports tonight that you have decided not to go to Louisville, Kentucky, for a Republican dinner next week. Is that a sign for security reasons that perhaps you are going to be held hostage in the Oval Office?

THE PRESIDENT'S ELECTION CAMPAIGN

Q. Mr. President, since you got back from Europe in early August, you've visited nearly half the states in the Union, you've made dozens of public appearances on the road, and many if not most of those public appearances have been speeches at Republican fundraising events. Yet you and your aides have said repeatedly that none of these appearances have any relation at all to your campaign for election in 1976. Wouldn't it be a little more candid to concede the obvious?

THE PRESIDENT'S VIEWS ON MARIJUANA

Q. Mr. President, in Knoxville earlier this week you were asked by an interviewer for your thoughts on your son's use of--or saying that he smoked--marijuana, and you said that you admired his candor, but you sort of stopped there. I was just wondering, Mr. President, could you tell us what are your thoughts about young people using marijuana?

THE PRESIDENT - LIMITS ON AUTHORITY

Archibald Cox was appointed by Richard Nixon as a Special Prosecutor to investigate the scandal which had resulted from the Watergate break-in and cover-up. As an appointed executive official, he was subject to dismissal by the President. In October 1974, the President dismissed Archibald Cox.

A Washington columnist named Art Buchwald commented on President Nixon's use of executive authority in a column entitled "All the King's Men."

- How does Buchwald compare the President to a King? What point is Buchwald making about President Nixon's authority?
- What actually were the King's scrolls? How does Buchwald describe what happened to the Special Prosecutor?
- How does Art Buchwald use humor to make a serious point about the authority of the President?

ALL THE KING'S MEN

Once upon a time there was a king who ruled over a vast land from one ocean to another. Such was his power and wealth that he had a palace in the west, a palace in the east, a palace in the south, and on weekends he had one in the mountains.

The king surrounded himself with a motley group of courtiers who were not above stealing, lying and cheating to keep him on the throne. Many of the king's rich subjects were forced to pay tribute to the palace in exchange for special favors and goodwill.

Although the king knew what his courtiers were doing, he shut his eyes to their behavior because being king was the most important thing in his life.

But, alas, one day the courtiers tried to take over a watergate, and this was too much, even for the docile people who inhabited the land.

The king, realizing his subjects were angry, issued a proclamation saying he was appalled by the corruption in his palace, and he would find the guilty people and banish them from his court forever.

He called in the king's prosecutor, an honest and devoted servant, and said, "I want to leave no stone unturned to find the people who have brought disgrace and shame on my kingdom."

The king's prosecutor asked, "Sire, does that mean I may investigate everyone in the palace?"

(Art Buchwald, I am not a Crook. © 1973 by author. C.P. Putnam's Sons. Used by permission.)

"Of course. What kind of king do you think I am that would prevent my own prosecutor from rooting out evil in the land?"

The prosecutor took the king at his word and started talking to the counselors in the palace. Each one had a different story to tell, and it was impossible for the prosecutor to know who was telling the truth.

He went back to the king and said, "Sire, we have heard many versions of the same story, but we have no proof as to which one is correct."

The king said angrily, "No proof? What kind of king's prosecutor are you if you cannot produce proof?"

"We know who has the proof."

"Then drag him here and pull his toenails out."

"This is difficult, sire," the prosecutor said, staring at the king's toenails. "If we could just have your scrolls recording your conversations with your counselors...."

"Have you gone mad?" the king shouted. "I am the king. No one sees my scrolls. They shall go with me to my grave."

"Then," the prosecutor said, "it is impossible for me to find the guilty parties, sire."

"You fool," the king said. "My subjects are angered. If we allow corruption in the palace to go unpunished, they will try to throw me off my throne."

"But what can I do if you refuse to let me see the scrolls?"

"Let me think a minute," the king said. "If I do not produce the scrolls, the populace will believe I am trying to hide my guilt. But, on the other hand if I produce the scrolls, they will know I'm guilty. Did any king ever face such a painful dilemma?"

"What is your decision, sire?"

"Alas, I have no choice," the king said. "Guards, take this man to the dungeon and chop off his head."

"But, sire," the poor prosecutor cried, "why me?"

"We can always get another king's prosecutor," was the reply, "but where can the people get another king?"

A second special prosecutor, Leon Jaworski, was then appointed by President Nixon. This prosecutor also wanted access to the President's tapes and records. He attempted to subpoena (demand to be presented in court) certain Presidential tapes and documents that he believed were necessary for the investigation on the Watergate scandal. The United States District Court for the District of Columbia granted a subpoena.

The President appealed this decision to the Court of Appeals. The Special Prosecutor petitioned the United States Supreme Court to hear the case before the Court of Appeals had judged the case because the issues involved were so important and a prompt decision was needed. The Supreme Court granted the petition for certiorari before judgment which meant they would review the case immediately.

Much of the actual case that came before the Supreme Court concerned problems with legal procedures. There were questions about whether the case could be properly reviewed, about how completely the requirements of the Federal Criminal Code had been met, and about whether this was an internal executive branch matter. The central part of the decision however, dealt with the question of the President's claim of privilege. Here are sections of the Supreme Court's decision on that question.

As you read the United States v. Richard Nixon (see page 56), try to answer the following questions. The questions are listed by the section of the opinion to which they refer.

- What does the Supreme Court state is the "province and duty of the judicial department?" To what Supreme Court case does the court refer to support this power? Why does the Court refer to judicial precedent and to the Federalist papers instead of to Article III of the Constitution?
- What is judicial review? How did the principle of judicial review develop in the United States?
- How is judicial review used to limit the authority of the Executive Branch of the Federal Government? How is judicial review used to limit the authority of the Legislative Branch?
- What is the Court actually saying that it can do?
- How would the function of the courts to do justice be affected by the President's claim of absolute confidentiality?
- What does the Court say was the goal of the Framers (authors) of the Constitution when they designed a system of separate powers?
- How could the principle of separation of power prevent government from operating efficiently? According to the Court, how should the principle of separation of powers be used?

Examine the LaFalce Report. (See page 54.)

- According to Representative John LaFalce, how should the principle of separation of powers be used? How does he agree with the interpretation of the Supreme Court?
- What two issues are in conflict in this case?

Examine Amendments IV - VIII. (See pages 55-56.)

- List three important process values involved in the idea of due process of law. What is meant by the phrase "due process of law?"
- How does the interest in Presidential confidentiality conflict with the demands of due process of law in the administration of criminal justice? Which value does the Supreme Court uphold in this case? Describe a situation where the Supreme Court might uphold the other value.

The Court is agreeing with the decision of the District Court.

- Why must the District Court be particularly careful to protect the records it will be given?
- General Question: How does the Supreme Court limit the authority of the President of the United States?

LaFALCE REPORT For Week of June 9, 1975

From the Office of
Congressman John J. LaFalce
36th District

This past week Congress considered a bill the President had vetoed--the Emergency Employment Appropriation Act--and the veto was sustained. As a result, we have no legislation to help cope with our most pressing need--jobs.

A few weeks earlier the same thing happened with the Emergency Farm bill and, consequently, the serious economic problems of the farmers haven't been solved.

Without going into the merits of the various bills I'd like to discuss something that is really beginning to disturb me--the growing gulf developing between the President and the Congress.

I feel it is important that the President and Congress, despite our party differences, start working together, and working together now. If the current competition continues, the American public will surely suffer.

Our system is built on the concept of checks and balances among the executive, legislative and judicial branches. This concept if used can be either constructive, or destructive.

It can be constructive only if the President and Congress, each realizing the legitimate power of the other, engage in dialogue and attempt to bring about intelligent, reasonable reconciliation of the differences that exist between them.

It can be destructive if each branch not only exists independent of the other but also maintains a stubborn, uncompromising posture, something President Nixon used to call "hard-nosing it."

It's not becoming of the President of the United States to engage in theatrics on television. His speech two weeks ago on the energy problem has begun to be referred to as "The Great Rip-off," or "Sesame Street in the Oval Office."

By the same token, it's not becoming of members of Congress to refer disrespectfully to the President as a former football player who played too many games without a helmet.

Until both the President and the Congress realize that we must work together in cooperation if our system of government is going to work at all, I am afraid the result will be a stalemate and a stagnant government.

AMENDMENT IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to seized.

AMENDMENT V

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

AMENDMENT VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

AMENDMENT VII

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any Court of the United States, than according to the rules of the common law.

AMENDMENT VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

UNITED STATES, Petitioner,
v.
Richard M. NIXON, President of the United States, et al.

Richard M. NIXON, President of the United States, Petitioner,
v.
UNITED STATES.

Nos. 73-1766, 73-1834.

Argued July 8, 1974.

Decided July 24, 1974.

Leon Jaworski and Philip A. Lacovara, Washington, D.C., for United States.

James D. St. Clair, Washington, D.C., for the President

Mr. Chief Justice BURGER Delivered the opinion of the Court.

IV

THE CLAIM OF PRIVILEGE

A

[30,31] In the performance of assigned constitutional duties each branch of the Government must initially interpret the Constitution, and the interpretation of its powers by any branch is due great respect from the others. The President's counsel, as we have noted, reads the Constitution as providing an absolute privilege of confidentiality for all presidential communications. Many decisions of this Court, however, have...reaffirmed the holding of Marbury v. Madison, 1 Cranch. 137, 2 L.Ed. 60 (1803), that "it is emphatically the province and duty of

the judicial department to say what the law is." Id., at 177, 2 L.Ed. 60.

Notwithstanding the respect each branch must accord the others, the "judicial power of the United States" vested in the federal courts by Art. III, § 1 of the Constitution can no more be shared with the Branch Than the Chief Executive, for example, can share with the Judiciary the veto power, or the Congress share with the Judiciary the power to override a presidential veto. Any other conclusion would be contrary to the basic concept of separation of power and the checks and balances that flow from the scheme of a three part government. The Federalist, No. 47, p. 313 (C.F. Mittel ed. 1938). We therefore reaffirm that it is "emphatically the province and the duty" of this Court "to say what the law is" with respect to the claim of privilege presented in this case. Marbury v. Madison, supra, 1 Cranch. at 177, 2 L.Ed. 60.

B

In support of his claim of absolute privilege, the President's counsel urges two grounds, one of which is common to all governments and one of which is peculiar to our system of separation of powers. The first ground is the valid need for protection of communications between high government officials and those who advise and assist them in the performance of their...duties; the importance of this confidentiality is too plain to require further discussion.

The second ground asserted by the President's counsel in support of the claim of absolute privilege rests on the doctrine of separation of powers.

The obstacle that an absolute, unqualified privilege would place in the way of the primary constitutional duty of the Judicial Branch to do justice in criminal prosecutions would plainly conflict with the function of the courts under Art. III. In designing the structure of our Government and dividing and allocating the sovereign power among three equal branches, the Framers of the Constitution sought to provide a comprehensive system, but the separate powers were not intended to operate with absolute independence.

> "While the Constitution diffuses power the better to secure liberty, it also contemplates that practice will integrate the dispersed powers into a workable government." Youngstown Sheet & Tube Co. v. Sawyer, 343 U.S. 579 635, 72 S. Ct 863, 870, 96 L.Ed. 1153 (1952) (Jackson, J., concurring).

To read the Art. II powers of the President as providing an absolute privilege as against a subpoena essential to enforcement of criminal statutes on no more than a generalized claim of the public interest in confidentiality of nonmilitary and nondiplomatic discussions would upset the constitutional balance of "a workable government" and gravely impair the role of the courts under Art. III.

C

In this case we must weigh the importance of the general privilege of confidentiality of presidential communications in performance of his responsibilities against the inroads of such a privilege on the fair administration of criminal justice. The interest in preserving confidentiality is weighty indeed and entitled to great respect. However we cannot conclude that advisers will be moved to temper the candor of their remarks by the infrequent occasions of disclosure because of the possibility that such conversations will be called for in the context of a criminal prosecution.

On the other hand, the allowance of the privilege to withhold evidence that is relevant in a criminal trial would cut deeply into the guarantee of due process of law and gravely impair the basic function of the courts. A President's acknowledged need for confidentiality in the communications of his office is general in nature, whereas the constitutional need for production of relevant evidence in a criminal proceeding is specific and central to the fair judgment of a particular criminal case in the administration of justice. Without access to specific facts a criminal prosecution may be totally frustrated. The President's broad interest in confidentiality of communications will not be vitiated by disclosure of a limited number of conversations shown to have some bearing on the pending criminal cases.

We conclude that when the ground for asserting privilege as to subpoenaed materials sought for use in a criminal trial is based only on the generalized interest in confidentiality, it cannot prevail over the fundamental demands of due process of law in the fair administration of criminal justice. The generalized assertion of privilege must yield to the demonstrated, specific need for evidence in a pending criminal trial.

D

Accordingly we affirm the order of the District Court that subpoenaed materials be transmitted to that court.

It is obvious that the District Court has a very heavy responsibility to see to it that presidential conversations are accorded that high degree of respect due the President of the United States. Mr. Chief Justice Marshall sitting as a trial judge in the Burr case, was extraordinarily careful to point out that:

> "[I]n no case of this kind would a court be required to proceed against the President as against an ordinary individual." United States v. Burr, 25 Fed. Cas. pp. 187, 192 (No. 14,694).

Marshall's statement cannot be read to mean in any sense that a president is above the law, but relates to the singularly unique role under Art. II of a President's communications and activities, related to the performance of duties under that Article.

We have no doubt that the District Judge will at all times accord to presidential records that high degree of deference suggested in United States v. Burr, and will discharge his responsibility to see to it that until released to the Special Prosecutor no in camera material is revealed to anyone.

Since this matter came before the Court during the pendency of a criminal prosecution, and on representations that time is of the essence, the mandate shall issue forthwith.

Affirmed.

Mr. Justice REHNQUIST took no part in the consideration or decision of these cases.

The Constitution Article I, Section 2

The House of Representatives... shall have sole power of impeachment.

Article I, Section 3

The Senate shall have the sole power to try all impeachments.

. What is impeachment?

Examine the Privileged Report on Impeachment (See page 61.)

. What Committee in the House of Representatives actually held hearings into the impeachment of Richard Nixon? How would due process of law be violated if the Committee voted for impeachment without holding hearings?

- Why must each Representative who serves on this committee be a lawyer?
- Why was the impeachment hearing referred to this Committee?
- The Committee recommended impeachment. Why didn't the entire House of representatives ever vote on the question?
- How is impeachment a limitation on the power of the President? What limitations on the power of the President are more frequently exercised by the legislature?

Examine the first paragraph of each of the three Articles of Impeachment (See page 62.)

- What is Richard Nixon accused of violating in each Article?
- In which Article is Richard Nixon accused of using his Presidential office to obstruct justice in order to cover up a scandal that would be damaging to his party?
- In which Article is Richard Nixon accused of violating his oath by misusing his power as the Chief of the Executive Department?
- In which Article is Richard Nixon accused of violating the principle of separation of powers by refusing to accept the sole power of impeachment granted to the House of Representatives?

- Describe at least one process value that was violated by Richard Nixon.
- Why could we say that Richard Nixon was actually accused of violating certain basic process values held by most Americans?

United States of America

No. 130—Part II

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PROCEEDINGS AND DEBATES OF THE 93d CONGRESS, SECOND SESSION

Vol. 120 WASHINGTON, THURSDAY, AUGUST 22, 1974 No. 130—Part II

House of Representatives

PRIVILEGED REPORT ON IMPEACHMENT

Mr. RODINO, from the Committee on the Judiciary, pursuant to H. Res. 803, submitted the following privileged report (Report No. 93-1305), which was referred to the House Calendar and ordered to be printed: .

[93D CONGRESS, 2D SESSION, HOUSE OF REPRESENTATIVES, REPORT No. 93-1305]

REPORT ON THE IMPEACHMENT OF RICHARD M. NIXON, PRESIDENT OF THE UNITED STATES

Mr. RODINO, from the Committee on the Judiciary, submitted the following report together with supplemental, additional, separate, dissenting, minority, individual, and concurring views:

The Committee on the Judiciary, to whom was referred the consideration of recommendations concerning the exercise of the constitutional power to impeach Richard M. Nixon, President of the United States, having considered the same, reports thereon pursuant to H. Res. 803 as follows and recommends that the House exercise its constitutional power to impeach Richard M. Nixon, President of the United States, and that articles of impeachment be exhibited to the Senate as follows:

RESOLUTION

Impeaching Richard M. Nixon, President of the United States, of high crimes and misdemeanors.

Resolved, That Richard M. Nixon, President of the United States, is impeached for high crimes and misdemeanors, and that the following articles of Impeachment be exhibited to the Senate:

Articles of impeachment exhibited by the House of Representatives of the United States of America in the name of itself and of all of the people of the United States of America, against Richard M. Nixon, President of the United States of America, in maintenance and support of its impeachment against him for high crimes and misdemeanors.

Article I

In his conduct of the office of President of the United States, Richard M. Nixon, in violation of his constitutional oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, has prevented, obstructed, and impeded the administration of justice, in that:

On June 17, 1972, and prior thereto, agents of the Committee for the Re-election of the President committed unlawful entry of the headquarters of the Democratic National Committee in Washington, District of Columbia, for the purpose of securing political intelligence. Subsequent thereto, Richard M. Nixon, using the powers of his high office, engaged personally and through his subordinates and agents, in a course of conduct or plan designed to delay, impede, and obstruct the investigation of such unlawful entry; to cover up, conceal and protect those responsible; and to conceal the existence and scope of other unlawful covert activities.

Article II

Using the powers of the office of President of the United States, Richard M. Nixon, in violation of his constitutional oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in disregard of his contitutional duty to take care that the laws be faithfully excuted, has repeatedly engaged in conduct violating the constitutional rights of citizens, impairing the due and proper administration of justice and the conduct of lawful inquiries, or contravening the laws governing agencies of the executive branch and the purposes of these agencies.

This conduct has included one or more of the following:

(5) In disregard of the rule of law, he knowingly misused the executive power by interfering with agencies of the executive branch, including the Federal Bureau of Investigation, the Criminal Division, and the Office of Watergate Special Prosecution Force, of the Department of Justice, and the Central Intelligence Agency, in violation of his duty to take care that the laws be faithfully executed.

In all of this, Richard M. Nixon has acted in a manner contrary to his trust as President and subversive of constitutional government, to the great prejudice of the cause of law and justice and to the manifest injury of the people of the United States.

Wherefore Richard M. Nixon, by such conduct, warrants impeachment and trial, and removal from office.

Article III

In his conduct of the office of President of the United States, Richard M. Nixon, contrary to his oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, has failed without lawful cause or excuse to produce papers and things as directed by duly authorized subpoenas issued by the Committee on the Judiciary of the House of Representatives on April 11, 1974, May 15, 1974, May 30, 1974, and June 24, 1974, and willfully disobeyed such subpoenas. The subpoenaed papers and things were deemed necessary by the Committee in order to resolve by direct evidence fundamental, factual questions relating to Presidential direction, knowledge, or approval of actions demonstrated by other evidence to be substantial grounds for impeachment of the President. In refusing to produce these papers and things, Richard M. Nixon, substituting his judgment as to what materials were necessary for the inquiry, interposed the powers of the Presidency against the lawful subpoenas of the House of Representatives, thereby assuming to himself functions and judgments necessary to the exercise of the sole power of impeachment vested by the Constitution in the House of Representatives.

In all of this, Richard M. Nixon has acted in a manner contrary to his trust as President and subversive of constitutional government, to the great prejudice of the cause of law and justice, and to the manifest injury of the people of the United States.

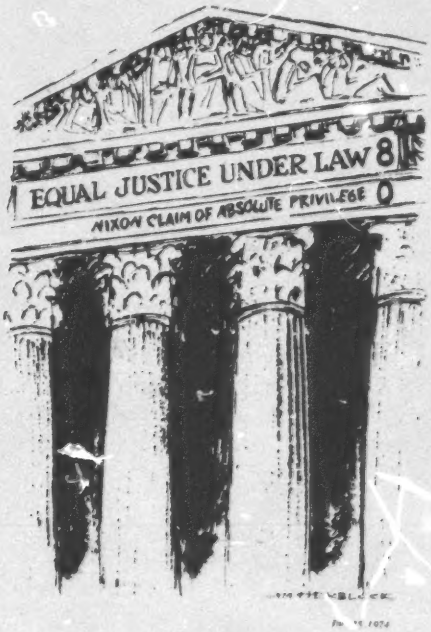
Wherefore Richard M. Nixon, by such conduct, warrants impeachment and trial, and removal from office.

Examine the three Herblock cartoons (See pages 64-66.)

1. This cartoon appeared the day after the Supreme Court decision in the United States v. Richard M. Nixon.
   - What statement is on the Supreme Court building? What has Herblock added?
   - How does Herblock let us know that one Justice of the Supreme Court did not vote in this case?
   - What two issues does Herblock show in conflict in this case? Why is his definition of the basic value conflict accurate?
   - What limitation on the authority of the President does this cartoon show?

2. This cartoon appeared the day the Judiciary Committee voted on the final article of impeachment.
   - Who is the old man in this cartoon? With whom does the man have an appointment?
   - What does Herblock suggest in this cartoon? Why was this event historically important?
   - What limitation on the authority of the President does this cartoon show?

3. This cartoon appeared on the day of President Nixon's resignation
   - Who is signing the resignation? Who does the large R represent?
   - Who does this Herblock cartoon suggest is the final limitation on the authority of the President?
   - What conditions must be present for the people to limit the President?



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"JUMP"
July 24, 1974

"SIR, HE SAYS HE HAS AN APPOINTMENT WITH YOU"
July 30, 1974

"RELATIVELY SPEAKING, I'M NOT DOING SO BAD"
July 26, 1974

"GEE, DOC, THEY TOLD ME YOU'D CUT ME TO PIECES"
July 31, 1974

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August 9, 1974

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Text of President's Pardon of Nixon

Following is the proclamation President Ford issued yesterday granting a full and absolute pardon to former President Nixon:

Richard Nixon became the thirty-seventh President of the United States on January 20, 1969, and was re-elected in 1972 for a second term by the electors of forty-nine of the fifty states. His term in office continued until his resignation on August 9, 1974.

Pursuant to resolutions of the House of Representatives, its Committee on the Judiciary conducted an inquiry and investigation on the impeachment of the President extending over more than eight months. The hearings of the committee and its deliberations, which received wide national publicity over television, radio, and in printed media, resulted in votes adverse to Richard Nixon on recommended articles of impeachment.

As a result of certain acts or omissions occurring before his resignation from the office of President, Richard Nixon has become liable to possible indictment and trial for offenses against the United States. Whether or not he shall be so prosecuted depends on findings of the appropriate grand jury and on the discretion of the authorized prosecutor. Should an indictment ensue, the accused shall then be entitled to a fair trial by an impartial jury, as guaranteed to every individual by the Constitution.

It is believed that a trial of Richard Nixon, if it became necessary, could not fairly begin until a year or more has elapsed. In the meantime, the tranquility to which this nation has been restored by the events of recent weeks could be irreparably lost by the prospects of bringing to trial a former President of the United States. The prospects of such trial will cause prolonged and divisive debate over the propriety of exposing to further punishment and degradation a man who has already paid the unprecedented penalty of relinquishing the highest elective office in the United States.

Now, therefore, I, Gerald R. Ford, President of the United States, pursuant to the pardon power conferred upon me by Article II, Section 2, of the Constitution, have granted and by these presents do grant a full free, and absolute pardon unto Richard Nixon for all offenses against the United States which he, Richard Nixon, has committed or may have committed or taken part in during the period from January 20, 1969, through August 9, 1974.

In witness whereof, I have hereunto set my hand this 8th day of September in the year of Our Lord Nineteen Hundred Seventy-Four, and of the independence of the United States of America the 199th.

Select one of the following activities:

1. Draw a cartoon either supporting or attacking the pardon of Richard Nixon.

2. Write a humorous column similar to one Art Buchwald might write on the pardon of Richard Nixon.

3. Assume that you are either Senator Buckley or Senator Javits. Prepare a letter to be sent to constituents who write to your office asking whether or not you supported the pardon of Richard Nixon.

4. Write a short report on what Alexander Hamilton said about the pardon power in the Federalist Papers.

5. Write a short report on President Lincoln's use of the pardon power during the Civil War. Explain how use of this power increased the power of the President.

6. Write an essay on the topic "The Pardon Power and Process Values." Explain how this power supports process values and how it limits them.

THE FEDERAL BUREAUCRACY - PRESIDENTIAL DECISION-MAKING

The Cabinet

Most decisions reached in the Federal bureaucracy do not involve the President. But many of the decisions we hear about do. Therefore, we will begin this unit on the Federal bureaucracy by looking at the role of its chief administrative officer.

A series of lists of the employees of the eleven Executive Departments, each headed by a member of the President's Cabinet, appears at the end of this section.

Examine these lists. (See pages 75-82.)

- Which Executive Department is the largest? (Note that this figure does not include military personnel but only civilian employees)
- Which three other departments have over 100,000 employees?
- Which departments did not exist in 1965?
- What department is currently the smallest department?
- Compare the total number of paid employees of the Executive Departments. In what year was the number the greatest?

In the previous unit, we examined the role of the President by using Presidential documents prepared during a two-week period in October. Congress was in session during one of those weeks. During that week, the President submitted five nominations to the Senate.

Examine the Constitution, Article II, Section 2. (See page 73 .)

- How does the Constitution grant the President the power to nominate officials?
- Why must the nominations be sent to the Senate?
- How does the Constitution provide for officials appointed by officials other than the President?

Examine the list of nominations. (See page 72 .)

- What kinds of officials are usually appointed by the President?

During the two weeks in October, the President also held a swearing in ceremony in the East Room of the White House for the new Secretary of the Interior.

Examine the President's remarks before the swearing in. (See page 73.) Examine the structure of the Department of the Interior as given at the end of this section. (See page 82 .)

- What do you think the duties of the new Secretary of the Interior will be?
- Why does the President refer to the Secretary's experience in the Small Business Administration? How could that experience help the Secretary in the new job?

The Federal Executive Department has grown greatly since the 1930's when the New Deal of Franklin D. Roosevelt began an increase in the importance of the Federal Government which continued into World War II and the Cold War which followed. Recently, however, the Federal bureaucracy, as a whole, has not grown. Many suggestions have been made to actually reduce the size of the bureaucracy by making its organization more efficent.

Examine again the lists of those who are employed by the 11 Executive Departments. (See pages 75-82.)

Select one of the following activities.

1. Investigate one of the 11 Executive Departments. Use newspapers and other sources to learn how this department functions. Then prepare a chart or a written report or an oral report to illustrate or describe the functions of the department you have chosen.

2. Assume you are a prominent American citizen appointed by the President to head a commission to reorganize the Federal Executive Departments. Examine the 11 Executive Departments listed. Prepare a report to the President with a plan of reorganization that you think would make the Executive Department as a whole more efficient. You could present this report in chart form, in paragraph form, or in the form of an oral presentation.

The Executive Office

The President also has advisors who are part of the Executive Office of the President. These officials tend to be technical experts who can offer the President the benefit of informed advice. For example, the Council of Economic Advisors is composed of three leading economists who usually take a leave of absence from their positons in colleges and universities in order to serve the President for a three-year period They bring with them assistants knowledgeable in various fields of economics.

• Not all of the advisors to the President are technical specialists. The President's Press Secretary is a part of his Executive Office. So are his various administrative aides. For example, in the Nixon Administration, H.R. (Bob) Haldeman was the President's Chief Administrative Aide. John Ehrlichman was the Special Assistant for Domestic Affairs. Before he was appointed to be Secretary of State, Henry Kissinger was the Special Assistant for National Security Affairs. Frequently these Presidential Advisors and staff assistants actually have more authority than the Cabinet officials. However, such assistants are not confirmed by the Senate. They can be appointed without Senate investigation.

. Why did H.R. Haldeman and John Ehrlichman resign from President Nixon's staff?

Examine the list of those working for the Executive Office of the President. (See page 75 .)

- When was the Executive Office force the largest?
- Why might a President want a large Executive Office force?
- Why might a President turn to his special advisors instead of to his Cabinet heads?
- How can the use of special advisors help the President? How can the use of special advisors limit the possibility of checking the actions of the President?
- How does the appointment of special advisors without confirmation of the Senate violate democratic process values?
- Why should the President be given the necessary freedom to assemble his personal staff without interference?

Identify the two values in conflict when the President appoints special advisors without Senate confirmation.

The Process of Executive Decision-Making

Decisions are frequently made within the Federal bureaucracy without the involvement of the President. We shall examine that process in the next section. But how does Presidential decision-making work? Of course, each President has different goals, but the methods of actually reaching a decision are frequently similar.

A. The President has gathered for examination the information necessary to establish the goal he wants to reach. He may consult all or some of the members of his Cabinet or he may consult his special advisors. Frequently he consults a combination of both. Special technical advisors may also be consulted. The President then sets a goal.

B. The President asks those who are advising him to supply alternate methods of reaching his goal. In each case, the advisor or the President or both, will have to balance the risk of taking the particular action suggested with the probability of success of the action. For example, in the Cuban Missile Crisis in 1962, President Kennedy knew that an air strike would remove the missiles in Cuba, but the possibility of provoking a war with the U.S.S.R. was great. A blockade might not have as great a chance of success and might not force the removal of the missiles, but the risks involved were so much less that this alternative was better when risk and reward were balanced.

C. The President, with or without the agreement of his advisors, attempts to select the alternative that gives him the best possible chance to reach his goal with the lowest possible amount of risk. Presidential decisions usually must balance risk and reward. The decisions where the alternatives suggest an obvious decision usually do not reach the President's desk. They are settled within the Federal bureaucracy.

Select one of the following activities.

1. Examine an example of Presidential decision-making. Describe the steps that the President took in making the decision in a paragraph, chart, or drawing.

2. Write an essay comparing the process of legislative decision-making and the process of executive decision-making. Illustrate your answer with examples.

3. Select one of the following situations:
   a) The oil producing countries in the Middle East announce an embargo.
   b) Economic statistics show that both unemployment and inflation are rising. The Gross National Product has dropped slightly.

Hold a meeting in class between the President and the advisors who would need to be present. Have the group reach a decision.

In each case remember - The President should set a goal.
The advisors should present alternative means of reaching that goal.
The President and the advisors would analyse the alternatives presented to balance risk with reward to reach a decision. Members of the class not directly involved with the decision should analyse how the decision is actually reached.

NOMINATIONS SUBMITTED TO THE SENATE

The following list does not include nominations of members of the Uniformed Services, nominations to the Service Academies, or nominations of Foreign Service officers.

Submitted October 6, 1975

William B. Widnall, of New Jersey, to be Chairperson of the National Commission on Electronic Fund Transfers. (new position)

Dale Kent Frizzell, of Kansas, to be Under Secretary of the Interior, vice John C. Whitaker, resigned.

Ethel Bent Walsh, of the District of Columbia, to be a member of the Equal Employment Opportunity Commission for the term expiring July 1, 1980. (re-appointment)

Ben B. Blackburn of Georgia, to be a member of the Federal Home Loan Bank Board for the remainder of the term expiring June 30, 1978, vice Thomas R. Bomar, resigned.

Submitted October 7, 1975

Charles Pence Slichtey of Illinois to be a member of the National Science Board, National Science Foundation, for the remainder of the term expiring May 10, 1978, vice Hubert Heffner, deceased.

SECTION 2. The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the opinion in writing, of the principal officer in each of the executive Departments, upon any subject relating to the Duties of their respective Offices, and he shall have Power to Grant Reprieves and Pardons for Offenses against the United States, except in Cases of Impeachment.

He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by law: but Congress may by Law vest the Appointment of such inferior officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

Secretary of the Interior

The President's Remarks at the Swearing In of Thomas S. Kleppe, With Mr. Kleppe's Response. October 17, 1975

THE PRESIDENT. *Secretary-designate Kleppe, the Vice President, Mrs. Kleppe, Justice Stewart, distinguished Members of the Congress and the Administration, distinguished guests, ladies and gentlemen:*

In the great State of North Dakota there is a town with the wonderfully self-confident name, and I quote—Cando. [*Laughter*]

Today it gives me great pleasure to honor a man from North Dakota who doesn't come from Cando, but he sure lives up to that name or that title in spirit. In Government service he has proven beyond any doubt that he can do and actually has done, and I am certain will continue to do an outstanding job in the new post as Secretary of Interior.

Of course, I speak with great emphasis on Tom Kleppe. Into his trust will be placed many of the vast, vast resources that have made this Nation great. Tom, I know

you will faithfully serve the 214 million Americans whose natural resources are now pledged by you to protect. I am sure that your rural roots and your love of our country will be the basis of sound, constructive policy. I look at your background and see how much an individual American with initiative and good commonsense can accomplish...

In Tom's 4½ years as Small Business Administrator, small businessmen received nearly $8 billion in loans to start or to expand their businesses and to help our economy. That figure represents more than one-half the loans in dollar amount that SBA has approved in its 22-year history.

As a result of SBA initiative, about $65 billion in contracts from the Federal Government went to small business during Tom's tenure as its Administrator. Small business now gets approximately one-third of all Federal governmental contracts.

Tom, I know you will bring to the Department of Interior the same dedicated professionalism that you brought to SBA. I have great confidence that you will meet your new responsibilities in a way that will benefit the Nation and all Americans.

One of your most important challenges will be to protect the environment of our public lands, the tremendous beauty which is one of our greatest natural heritages. At the same time, you must find a way to extract energy from those lands, energy that is critical to our economy.

You must assure the best possible Federal-State relationship as we develop the oil resources of our outer continental shelf, the oil shale resources of the Rockies, and the coal resources throughout our Nation.

You must reconcile the national need for energy which makes possible the jobs which we must have if America is to continue progress with the demand for environmental quality. You must forever be mindful that the public lands under Federal stewardship belong to all Americans. Even when we grant certain privileges to one portion or another of our citizenry to use these public lands, they must never be used to benefit the few to the detriment of the many.

I know you will do a first-class job, as you always have, that you will bring dedication to this job that will benefit our entire country.

Now I am very pleased to ask Justice Potter Stewart to swear in our new Secretary of the Interior, Tom Kleppe.

[*At this point, Potter Stewart, Associate Justice of the Supreme Court, administered the oath of office.*]

Organization	Employees in United States	Personnel Outside United States	Total Paid Employees			
			Jan. 1, 1975	Jan. 1, 1974	Jan. 1, 1965	Jan. 1, 1955
Executive Office of the President	2,845		2,845	3,241	1,924	1,111
Executive Departments	1,586,003	[1]111,203	1,697,206	1,658,912	2,085,046	2,023,263
1. Department of Agriculture	102,106	1,220	103,326	105,907	98,162	70,267
2. Department of Commerce	34,904	210	35,114	33,875	55,901	43,460
3. Department of Defense	950,364	84,906	1,035,270	1,028,816	1,019,382	1,179,813
Office of the Secretary of Defense	72,707	1,625	74,332	73,256	39,855	1,876
Department of the Air Force	249,923	19,426	269,349	271,212	261,183	304,496
Department of the Army	332,273	37,181	369,454	365,908	361,691	464,557
Department of the Navy	295,461	26,674	322,135	318,440	326,653	408,884
4. Department of Health, Education, and Welfare	143,202		143,202	131,042	83,417	36,656
5. Department of Housing and Urban Development	16,825		16,825	17,241		
6. Department of the Interior	73,936	266	74,202	68,513	61,616	49,808
7. Department of Justice	50,233	821	51,054	48,516	32,439	30,249
8. Department of Labor	13,734	5	13,739	12,859	9,043	4,917
9. Department of State	10,116	22,041	[2]32,157	33,225	41,328	20,988
10. Department of Transportation	71,516	826	72,342	68,823		
11. Department of the Treasury	119,067	908	119,975	110,095	85,524	79,177

[1]Total American citizens, 47,702; nationals of other countries, 63,501
[2]Includes AID: 8,717 employees-5,620 outside U.S., of whom 1,650 are American citizens.

EXECUTIVE OFFICE OF THE PRESIDENT

The President	1
White House	559
Executive Residence	78
Office of Management and Budget	646
Council of Economic Advisers	54
Council on Environmental Quality	58
Council on International Economic Policy	40
Council on Wage and Price Stability	1
Domestic Council	32
National Security Council	87
Office of Economic Opportunity	1,090
Headquarters	462
Field (regional offices-10)	628
Office of the Special Representative for Trade Negotiations	45
Office of Telecommunications Policy	76
Special Action Office for Drug Abuse Prevention	53
Special Assistance to the President	25
Total employees	2,845

DEPARTMENT OF STATE	
Office of the Secretary	540
Office of the Assistant Secretary for Administration	1,692
Legal Adviser	105
Office of the Assistant Secretary for Congressional Relations	26
Director General of the Foreign Service	875
Foreign Service Institute	436
Bureau of Oceans and International Environmental and Scientific Affairs	90
Bureau of Intelligence and Research	305
Bureau of Public Affairs	122
Bureau of Educational and Cultural Affairs	289
Bureau of Inter-American Affairs	174
Bureau of European Affairs	222
Bureau of East Asian and Pacific Affairs	145
Bureau of Near Eastern and South Asian Affairs	120
Bureau of African Affairs	131
Bureau of International Organizations	297
Bureau of Economic and Business Affairs	212
Bureau of Security and Consular Affairs	834
Other International Activities	404
Total United States	7,091
Foreign Service (outside United States)	[1]16,421
Total employees worldwide	23,440

AGENCY FOR INTERNATIONAL DEVELOPMENT	
Office of the Administrator	29
Office of Equal Opportunity Programs	12
Office of the Auditor General	120
Office of Legislative Affairs	16
Office of Public Affairs	38
Office of Food for Peace	36
Office of the General Counsel	63
Office of Labor Affairs	15
Office of Public Safety	
Office of Interagency Development Coordination	75
Assistant Administrator for Program and Management Services	3
Office of Financial Management	5
Office of Housing	240
Office of American Schools and Hospitals Abroad	25
Office of Personnel and Manpower	7
Office of Management Operations	251
Office of Data Management	196
Office of Management Planning	95
Labor Relations Staff	34
Office of Engineering	8
Office of Commodity Management	68
Office of International Training	107
Office of Contract Management	116
Bureau for Program and Policy Coordination	138
Bureau for Technical Assistance	125
Bureau for Population and Humanitarian Assistance	211
Bureau for Africa	172
Bureau for Near East and South Asia	136
Bureau of East Asia	131
Bureau for Latin America	130
Complements	171
	324
Total Offices and Bureaus	[2]3,097
Total Outside United States	[3]5,620
Total Direct Hire Employees	8,717

[1]Includes 10,836 foreign nationals.
[2]Includes 88 WAE (intermittent).
[3]Includes 1,650 U.S. citizens and 3,970 foreign nationals of whom 2,336 are paid from trust funds.

DEPARTMENT OF DEFENSE

OFFICE OF THE SECRETARY OF DEFENSE	1,604
Secretary of Defense	6
Deputy Secretary of Defense	4
Director of Defense Research and Engineering	168
Office of the Director	139
Weapons Systems Evaluation Group	29
Assistant Secretary of Defense (Comptroller)	572
Comptroller Activities	291
Administrative Activities	281
Assistant Secretary of Defense (Health and Environment)	26
Assistant Secretary of Defense (Installations and Logistics)	192

(SUMMARY)

Office of the Secretary (including Other Defense Activities)	74,332
Department of the Air Force	269,349
Department of the Army	369, 54
Department of the Navy	322,135
Total employees DOD	[1]1,035,270

[1]Includes 13,482 part-time and WAE employees worldwide; 84,952 employees outside U.S., of whom 36,918 are American citizens and 48,034 are nationals of other countries.

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Assistant Secretary of Defense (Intelligence)	29
Assistant Secretary of Defense (International Security Affairs)	129
Assistant Secretary of Defense (Legislative Affairs)	21
Assistant Secretary of Defense (Manpower and Reserve Affairs)	118
Office of the Assistant Secretary	117
Reserve Forces Policy Board	1
Assistant Secretary of Defense (Program Analysis and Evaluation)	100
Assistant Secretary of Defense (Public Affairs)	80
General Counsel	42
Director, Telecommunications and Command and Control Systems	40
Miscellaneous Activities	14
Special Staff Assistants	63
The Special Assistant to the Secretary and Deputy Secretary	17
Assistant to the Secretary and Deputy Secretary	(1)
Assistant to the Secretary (Atomic Energy)	9
Director, SALT Task Force	1
Secretary of Defense Representative to MBFR Negotiations	1
Director of Net Assessment	3
U.S. Mission to Nato	32
ORGANIZATION OF THE JOINT CHIEFS OF STAFF	350
Other Defense Agencies	72,343
Defense Advanced Research Projects Agency	115
Defense Civil Preparedness Agency	718
Defense Communications Agency	1,678
Defense Contract Audit Agency	3,468
Defense Investigative Service	1,279
Defense Mapping Agency	7,860
Defense Nuclear Agency	658
Defense Security Assistance Agency	66
Defense Supply Agency	53,657
Office of Information for the Armed Forces	157
Office of Overseas Dependents Education	15
Uniformed Services University of the Health Sciences	1
Classified Activities	2,671
INTERDEPARTMENTAL ACTIVITIES (U.S. Court of Military Appeals)	35
Total employees	[2]74,332

[1]Not staffed as of Jan. 1, 1975.
[2]Includes 1,034 WAE and part-time employees.

Note.-Summation of information on personnel: Office of the Secretary of Defense (United States) 1,494 paid full-time civilian employees and 103 part-time and WAE, and (outside the United States) 44 employed full-time and 2 employed part-time. Organization of Joint Chiefs of Staff (United States) 336 full-time and 14 part-time and WAE. Department of Defense-Inter-departmental Activities-(United States) 33 full-time. Department of Defense-Other Defence Agencies (United States) 71,756 full-time civilian employees and 916 part-time and WAE and (outside the United States) 510 American citizens and 1,115 nationals of other countries.

DEPARTMENT OF THE TREASURY

Office of the Secretary	1,519
Consolidated Federal Law Enforcement Training Center	79
Bureau of Engraving and Printing	3,142
Bureau of Government Financial Operations	2,556
11 Field Offices	913
Bureau of Alcohol, Tobacco and Firearms	3,727
7 Regions, 28 Districts	3,180
Bureau of the Mint	2,910
Assay Offices, 2 Bullion Depositories, 3 Mints	2,756
Bureau of Public Debt	1,832
1 Field Office	1,106
Comptroller of the Currency	2,648
14 Regional Offices	2,271
Internal Revenue Service	83,118
7 Regions, 58 Districts, 10 Service Centers	77,837
U. S. Customs Service	14,965
9 Regions, 42 Districts, 3 Areas	13,722
U. S. Savings Bonds Division	480
7 Market Areas	404
U. S. Secret Service	2,999
63 Field Offices	1,213
Total employees	[1]119,975

[1]Includes 2,506 part-time and 2,223 intermittent employees; and 908 outside the 50 States, of whom 862 are American citizens.

DEPARTMENT OF COMMERCE

Office of the Secretary	1,098
Domestic and International Business Administration	1,936
Economic Development Administration	731
Maritime Administration	1,541
National Bureau of Standards	3,712
National Fire Prevention and Control Administration	8
National Oceanica and Atmospheric Administration	13,843
National Technical Information Service	410
Office of Minority Business Enterprise	262
Office of Telecommunications	326
Patent and Trademark Office	3,075
Social and Economic Statistics Administration	8,048
U. S. Travel Service	121
Office of Product Standards	3
Total employees	35,114

[1]Does not include 66 Federal employees of seven Regional Action Planning Commissions and the National Advisory Committee on Oceans and Atmosphere. The Department of Commerce provides administrative support service for these organizations.

[2]Of this total: 19,162 were employed in Washington Metropolitan Area, and 15,952 were employed outside the area (100 field offices). There were 158 American citizens and 112 foreign nationals employed outside the United States.

DEPARTMENT OF JUSTICE

Office of the Attorney General	1,189
Office of the Attorney General	21
Office of the Deputy Attorney General	65
Office of Public Information	23
Office of Legislative Affairs	25
Office of Management and Finance	800
Office of Pardon Attorney	9
Board of Immigration Appeals	27
Board of Parole	137
Watergate Special Prosecution Force	82
Legal Activities	8,574
Office of Solicitor General	44
Office of Legal Counsel	38
Tax Division	466
Criminal Division	658
Civil Division	500
Land and Natural Resources Division	250
Civil Rights Division	388
Antitrust Division	705
Office of United States Attorneys (94 Districts)	3,190
Office of United States Marshals (94 Districts)	2,198
Community Relations Service	110
Federal Bureau of Investigation	19,449
Field (59 field divisions)	12,487
Immigration and Naturalization Service	8,744
Field Employees	7,470
Bureau of Prisons (34 Penal Institutions)	7,473
Federal Prison Industries, Inc. (22 Penal Institutions)	740
Law Enforcement Assistance Administration	868
Drug Enforcement Administration	4,017
Field (19 field regions)	3,380
Total employees	[1]51,054

[1]Includes 2,322 part-time and WAE employees; and 821 employees outside United States of whom 782 are American citizens.

DEPARTMENT OF AGRICULTURE

Office of the Secretary	113
Headquarters	101
Field Service (10 field offices)	12
Office of Management and Finance	938
Headquarters	106
Field Service (1 field office)	832
Office of Administrative Law Judges	8
Office of Equal Opportunity	96
Office of Communications	180
Office of Automated Data Systems	403
Headquarters	134
Field Service (6 field Offices)	269
Office of Personnel	105
Office of Operations	322
Economic Management Support Center	131
Office of the General Counsel	349
Headquarters	185
Field Service (17 field offices)	164
Office of Audit	498
Headquarters	118
Field Service (28 field offices)	380
Office of Investigations	331
Headquarters	80
Field Service (24 field offices)	251
Farmer Cooperative Service	88
Headquarters	85
Field Service	3
Farmers Home Administration	11,391
Headquarters	305
Field Service (2,824 field offices)	11,068
Forest Service	30 223
Headquarters	725
Field Service (9 regional offices; 124 forest supervisor's offices; 675 ranger districts; 8 forest and range experiment stations; 81 research work unit locations; 1 laboratory; 17 job corps camps; 1 institute of tropical forestry; 2 area offices (State and private forestry))	29,498
Rural Electrification Administration	779
Soil Conservation Service	15,903
Headquarters	600
Field Service (50 State offices; 1 territorial office; 20 plant materials centers; 230 area offices; 3,009 field offices; 4 regional technical service centers; 261 project and other offices)	15,303
Commodity Exchange Authority	198
Headquarters	26
Field Service (4 regional offices)	163
Foreign Agricultural Service	835
Headquarters	563
Field Service (62 foreign posts, and 1 domestic office)	[1]272
Agricultural Stabilization and Conservation Service	[2]2,929
Headquarters	673
Field Service (1 personnel field office; 1 administrative services field office; 1 accounting field office; 2 ASCS commodity offices; 1 data processing field office; 1 Caribbean area office; 1 claims field office; and 2 aerial photography laboratories)	[3]2,256
Federal Crop Insurance Corporation	1,664
Headquarters	59
Field Service (1 national service office; 4 regional underwriting offices; 4 sales centers; 14 contract service centers; and 212 county offices)	1,605
Rural Development Service	26
Agricultural Marketing Service	5,814
Headquarters	835
Field Service (475 field offices)	4,961
Packers and Stockyards Administration	158
Headquarters	68
Field Service (14 field offices)	117
Food and Nutrition Service	
Headquarters	715
Field Service (152 field offices; 5 regional offices)	1,614
Economic Research Service	1,081
Headquarters	827
Field Service (64 field offices)	254
Statistical Reporting Service	1,838
Headquarters	354
Field Service (44 field offices)	1,484
Agricultural Research Service	9,314
Headquarters	2,383
Field Service (4 research offices; 7 major research centers; 20 area offices; 139 research locations)	6,931
Animal Plant Health Inspection Service	14,799
Headquarters	1.136
Field Service (16 regional offices; 51 area offices; 129 field offices)	13,661
Extension Service	[4]214
Cooperative State Research Service	88
National Agricultural Library	187
Total employees (1,013 WOC)	[5]103,326

[1]125 U. S. citizens and 145 foreign nationals.

[2]Commodity Credit Corporation programs are carried out through facilities and personnel of the Agricultural Stabilization and Conservation Service.

[3]Agricultural Stabilization and Conservation Service State Committees direct operations of approximately 2,741 county offices staffed by non-Federal employees.

[4]Cooperative program with State Extension Services is carried on by approximately 16,000 technical workers paid by States and located at 54 Land Grant Colleges and about 3,150 county offices.

[5]Includes part-time and intermittent employees of which 1,220 are overseas personnel of which 893 are American citizens and 327 are nationals of other countries.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of the Secretary	9,226
Office of Undersecretary	171
Assistant Secretary for Legislation	48
Assistant Secretary for Health	[1]2,407
Assistant Secretary for Planning and Evaluation	207
Regional Organization	1,345
Office of the Assistant Secretary Adm. & Mgmt.	1,553
Office Facilities Engineering & Property Mgmt.	(2)
Office of Surplus Property Utilization	(2)
Office of the Assistant Secretary Comptroller	1,118
Office of the General Counsel	494
Office for Civil Rights	716
Office of Assistant Secretary Public Affairs	33
Office of Assistant Secretary Human Development	[1]1,134
Office of Child Development	(2)
Office of Education	3,137
Office of the Commissioner	1,058
Regional Commissioners	(2)
Regional Liaison	(2)
Teacher Corps	(2)
Right to Read	(2)
Special Projects	(2)
Office of Public Affairs	(2)
EEO Programs	(2)
Office of Management	563
Office of Planning	263
Bureau of Postsecondary Education	478
Bureau of Education of the Handicapped	84
Bureau of School Systems	446
Office of Indian Education	45
Office of Occupational and Adult Education	200
Alcohol Drug Abuse and Mental Health Administration	5,990
Office of the Administrator	231
National Institute on Drug Abuse	383
National Institute on Alcohol Abuse and Alcoholism	148
National Institute on Mental Health	5,228
Food and Drug Administration	7,103
Office of the Commissioner	798
Bureau of Foods	890
Bureau of Drugs	1,202
Bureau of Veterinary Medicine	205
Regional Office Staff (10 regions)	2,759
Bureau of Radiological Health	384
Bureau of Biologics	355
National Center for Toxicological Research	222
Executive Director of Regional Operation	188
Bureau of Medical Devices and Diagnostic Prod.	100
National Institute of Education	416
Health Services Administration	16,111
Office of the Administrator	365
Bureau of Community Health Services	817
Bureau of Quality Assurance	149
Indian Health Service	8,381
Bureau of Medical Services	6,399
Social Security Administration	80,923
Office of the Commissioner	2,960
Bureau of Data Processing	11,918
Bureau of Disability Insurance	6,543
Bureau of Health Insurance	2,351
Bureau of Retirement and Survivors Insurance	14,418
Bureau of District Office Operations	37,513
Bureau of Hearings and Appeals	3,110
Bureau of Supplemental Security Income	1,231
Office of Public Affairs	181
Office of Program Evaluation	112
Office of Research and Statistics	586
Social Rehabilitation Service	2,301
Office of the Administrator	35
Community Service Administration	77
Medical Service Administration	119
Associate Administrator for Information Systems	99
Associate Administrator for Management	302
Office of Field Operations	1,155
Planning Research and Evaluation	127
Assistance Payments Administration	101
Rehabilitation Services Administration	171
Policy Control and Coordination	115
Health Resources Administration	1,746
Office of the Administrator	298
National Center for Health Statistics	574
Bureau of Health Services Research and Evaluation	328
Bureau of Health Resources Development	546
Center for Disease Control	3,699
Office of the Director	564
National Institute for Occupational Safety and Health	624
Bureau of Epidemiology	459
Bureau of Laboratories	874
Bureau of State Services	992
Smallpox Eradication Program	29
Training Program	72
Tropical Disease Program	58
Bureau of Health Education	27
National Institutes of Health	12,842
Office of the Assistant Secretary Of Education	68
Total employees	[3]143,202

[1]Administratively assigned to the Office of the Secretary.

[2]Not staffed as of January 1, 1975.

[3]Includes 2,061 WAE employees and 5,934 part-time employees.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary and Staff Offices	164
Assistant Secretary for Community Planning and Development	265
Office of the General Counsel	222
Assistant Secretary for Housing Production and Mortgage Credit-FHA Commissioner	424
Government National Mortgage Association	34
Assistant Secretary for Housing Management	424
Assistant Secretary for Equal Opportunity	153
Assistant Secretary for Policy Development and Research	193
Assistant Secretary for Administration	1,935
Office of Inspector General	465
Federal Insurance Administration	157
Office of Interstate Land Sales Registration	109
Federal Disaster Assistance Administration	242
New Communities Administration	103
Regional Offices (10) Area Offices (39) Insuring Offices (37)	11,542
Total employees	[1]16,398

[1]Excludes 427 employees (of which 173 are part-time and WAE) under recruitment and development program. Includes 205 part-time and WAE employees.

DEPARTMENT OF LABOR

Office of the Secretary	[1]495
Office of the Assistant Secretary for Administration and Management Regional Offices (10)	[1]988
Office of Information, Publications, and Reports	93
Employees Compensation Appeals Board	9
President's Committee on Employment of the Handicapped	34
Office of the Assistant Secretary for Policy, Evaluation, and Research	66
Office of the Solicitor	555
Regional offices (9), Branch offices (6), Puerto Rico office (1)	
Bureau of International Labor Affairs	171
Manpower Administration	[2]3,675
Manpower Regions (regional offices (10)	1,855
Office of the Assistant Secretary for Manpower	38
Investigation and Compliance	37
Office of Policy, Evaluation, and Research	196
Office of Information	24
Unemployment Insurance Service	167
Office of Administration and Management	355
United States Employment Service (State offices (50), Puerto Rico office (1))	
Office of Manpower Development Programs (Job Corps 8?))	341
Bureau of Apprenticeship and Training (regional offices (10), area offices (98), State offices (50))	378
Office of Field Direction	70
Labor-Management Services Administration	972
Regional offices (6), area offices (24)	
Office of the Assistant Secretary	23
Office of Labor-Management Policy Development	23
Office of Labor-Management Relations Service	36
Office of Federal Labor-Management Relations	34
Office of Labor-Management and Welfare Pension Reports	261
Office of Administration and Management	70
Office of Veterans' Reemployment Rights	10
Office of Employee Benefits Security	([3])
Employment Standards Administration	2,838
Office of the Assistant Secretary (Regional offices (10), District offices (17), area offices (87), field stations (256), Puerto Rico office (1))	239
Wage and Hour Division and Special Wage Standards	1,581
Office of Workmen's Compensation Programs	822
Office of Federal Contract Compliance	112
Women's Bureau	84
Occupational Safety and Health Administration	1,610
Regional offices (10)	1,099
Office of the Assistant Secretary	20
Office of Training and Education	64
Office of Standards	119
Federal and State Operations	111
Office of Management Services	128
management Data Systems	50
Office of Information Services	19
Bureau of Labor Statistics	2,233
Total employees	13,739

[1]Reflects move of Regional Administration and Management Office to Office of the Secretary.

[2]Includes 2,196 in regional and State offices; 144 part-time and temporary employees; and 5 employees outside the U. S. all of whom are American citizens.

[3]Not staffed as of January 1, 1975

DEPARTMENT OF THE INTERIOR

Office of the Secretary	1,393
Headquarters	938
Field (15 offices)	254
Territories (4 offices)	201
Other Departmental Offices	846
Headquarters	598
Field (41 offices)	248
Fish and Wildlife Services	5,093
Headquarters	722
Field (615 offices)	4,371
National Park Service	11,268
Headquarters	2,583
Field (373 offices)	8,685
Geological Survey	11,041
Headquarters	2,701
Field (401 offices)	8,340
Bureau of Mines	4,062
Headquarters	743
Field (72 offices)	3,319
Mining Enforcement and Safety Administration	2,690
Headquarters	205
Field (151 offices)	2,485
Bureau of Land Management	5,650
Headquarters	493
Field (119 offices)	5,157
Bureau of Indian Affairs	18,693
Headquarters	331
Field (408 offices)	18,362
Bureau of Outdoor Recreation	488
Headquarters	140
Field (7 offices)	348
Bureau of Reclamation	8,573
Headquarters	241
Field (66 offices)	8,332
Bonneville Power Administration	3,640
Portland, Oregon	1,471
Field (34 offices)	2,169
Southeastern Power Administration (Elberton, Georgia)	37
Southwestern Power Administration	174
Tulsa, Oklahoma	83
Field (7 offices)	91
Alaska Power Administration	36
Juneau, Alaska	21
Field (2 offices)	15
Total employees	[1]74,202

[1]Includes 3,487 intermittent, 2,855 part-time and 518 Job Corps employees; 201 in U. S. Territories; and 65 in foreign countries.

DEPARTMENT OF TRANSPORTATION

Immediate office of the Secretary and the Deputy Secretary	51
Office of the Assistant Secretary for Policy, Plans, and International Affairs	159
Office of the Assistant Secretary for Congressional and Intergovernmental Affairs	25
Office of the Assistant Secretary for Systems Development and Technology	89
Office of the Assistant Secretary for Environment, Safety and Consumer Affairs	155
Office of the General Counsel	54
Office of the Assistant Secretary for Administration	402
DOT Staff Offices	144
Working Capital Fund	397
United States Coast Guard	6'425
Washington Headquarters	1'234
Academy	152
Yard	1,052
Districts (12); Headquarters Units (14)	3,987
Federal Aviation Administration	55,820
Washington Headquarters	3,846
Field	52,984
Washington Field Offices	1,010
Regional Offices (12)	46,259
National Aviation Facilities Experimental Center	1,721
Aeronautical Center	3,994
Federal Highway Administration	5,134
Washington Headquarters	1,703
Field Offices (10 regional)	3,431
Federal Railroad Administration	569
Washington Headquarters	284
Field Offices (8 regional)	285
Alaska Railroad	828
Urban Mass Transportation Administration	344
Washington Headquarters	302
Field Offices (10 regional)	42
Saint Lawrence Seaway Development Corporation	204
National Highway Traffic Safety Administration	815
Washington Headquarters	687
Field Offices (10 regional)	128
Transportation Systems Center	727
Total employees (2 WOC)	[1]72,342

[1]Includes 1,551 part-time and WAE employees; and 826 employees outside U. S. of whom 38 are nationals of other countries.

THE FEDERAL BUREAUCRACY - DEFINITION, PROCEDURES, AND PROBLEMS

Definition

What is a bureaucrat? Any non-elected administrative official of a government can be classed as a bureaucrat. The clerk in the Department of Motor Vehicles is a bureaucrat as is the examiner who gives you your driver's test. The official who grants a permit for building a new building is a bureaucrat. So is the inspector who checks the wiring.

When we speak of the Federal bureaucracy, we actually mean the nearly three million people who are Federal Government employees. More specifically, we are usually referring to the government employees who work for the administrative division of the government, the Executive Branch.

Examine the charts given at the end of this section. (See pages 92-94.)

- For which Branch of the Federal Government do the fewest employees work?
- How many employees were considered employees of the Executive Branch in 1955? in 1965? in 1975?
- Which of the independent agencies has the greatest number of employees?
- What is the second largest agency? Why is this agency so large?
- Which Federal agency did not exist in 1974? Describe the situation that led to its creation
- How many new agencies have been created since 1955?

Select one of these activities

1. Investigate one independent Federal Agency. Make a report on the agency or draw a chart showing its functions.

2. Collect newspaper clippings on one particular Federal agency. Organize the clippings on a poster in such a way that the important functions of the agency can be noted.

3. Report on what a Federal corporation is. Use examples from one or more of the following Federal Corporations:
   Export-Import Bank
   Federal Deposit Insurance Corporation
   Panama Canal Company
   Postal Service
   St. Lawrence Seaway
   Tennessee Valley Authority

4. Research and report on the Interstate Commerce Commission. This was the first Federal independent agency to be formed. It was created by a statute passed in 1887.

5. Report on one of the independent agencies established during the administration of Franklin Delano Roosevelt.

Administrative Rule-making

Many of the laws that affect our lives are not statute laws. They are administrative rules. These laws are usually made by administrative officials. That is, much of our law is actually made by non-elected officials, by members of the bureaucracy.

However, these officials must follow certain established rule-making procedures. Just as our statute law is made within the procedures written in the Constitution and developed in practice, so our administrative law is made within procedures established in statute law and developed in practice.

Sometimes the procedures developed for administrative rule making actually provide for more direct citizen participation than do the procedures by which we make statute law. Our belief in a democratic process is sometimes more satisfied by the method by which our non-elected officials make rules than it is by the method by which our elected officials make rules.

Examine the page on the Federal Register. (See page 88.)

- Under what statute law is the Federal Register published?
- Under what administrative regulations is the Federal Register published?
- What is the basic purpose of the Federal Register?
- Why is the Federal Register important?
- Under which agency is the National Archives and Records Service?
- Find this agency on the list of independent agencies.

One of the most important procedures that administrative rule-makers must follow is that of notification. Many notices to the public are carried in the Federal Register.

Examine document I. (See page 89.)

- Why does the Secretary of the Treasury make a public announcement of the interest rate on Treasury Notes Series N-1977?
- What process value is protected by this notice?

When the Securities and Exchange Commission was established by the Securities Exchange Act, a 1934 statute law, the commission was given the power to suspend trading in a stock in order to protect investors.

Examine document II. (See page 89.)

- Why would the Securities and Exchange Commission publish a Notice of Suspension of Trading in the Federal Register?

A second procedure that most Federal administrative rule-makers must follow is providing for comment by the public.

Examine document III. (See page 90.)

- What is the public invited to do in this notice?
- What process value is being protected?

Frequently a formal and standard procedure is provided for comments by the public. A Federal Executive Department or Agency publishes a proposed rule. It then sets a specific time period during which the public is invited to make comments on the proposed rule. This time period is usually part of the guidelines established for executive agencies through statute law.

Examing document IV. (See page 90.)

- Why is the Fish and Wildlife Service extending the period for public comment?
- Whose rights are protected by providing for public comment?

Sometimes public comments will leak to changes in the proposed rule. The changed proposed rule will then be published for additional comments. For example, the Federal Aviation Administration of the Department of Transportation published a notice of a proposed rule-making in April, 1975. The FAA was suggesting various changes in the required design of the Beech 18 series airplane wing structure.

Numerous comments were received. In the Federal Register published on October 20, 1975, the FAA printed a "Supplemental Notice." After reviewing all the comments, the FAA had decided to make some changes in its proposed rule. The supplemental notice included diagrams to show what these changes would be.

The FAA also decided to organize all of its existing Airworthiness Directives on the Beech 18 series into one single, organized Airworthiness Directive. Several of the commentators had suggested that this would make compliance (following the rule) easier.

After considering all the comments, and announcing the changes, the FAA reprinted the rule with the changes so that the public could have an opportunity to comment on the changed rule.

- How does this action provide for citizen participation in rule-making?
- Why would the FAA reprint the proposed rule with changes?
- How does this reprinting protect process values?

Finally the completed rule must be published in the Federal Register.

Examine document V. (See page 91.)

- Why is it a necessary procedure to publish the completed rule?

Sometimes all persons and organizations that are supposed to follow a Federal rule do not do so. They do not "comply." Most administrative agencies can have a hearing and force compliance or levy a punishment. Usually administrative punishments are fines. An administrative hearing cannot result in a prison term. Administrative decisions may be appealed to the court system.

- Why are there limits on what an administrative hearing can do?
- Why can administrative decisions be appealed to the courts?
- What process values are protected here?

A group of ten-year-old boys identified the following rules as rules that they were expected to follow.

Read the rules and organize them into three categories: (These organizations may differ)

Safety and Health
Polite Conduct
Honest Behavior

1. always raise your hand before answering a question in class
2. listen when your mother is talking to you
3. tell the truth
4. come inside at dark
5. brush teeth morning and night
6. make bed every day
7. eat with a fork, not with your fingers
8. pick up your bedroom
9. wash your hair once a week
10. do not throw food in school cafeteria
11. do not climb basketball posts
12. do not chew gum in school
13. do not sit on the kitchen table
14. do not shoot spit balls in class
15. do not wear the same clothes more than two days in a row
16. do not scream in the car
17. do not run in the house or apartment
18. do not knock on classroom doors unless you are on an errand
19. do not talk while the teacher is talking
20. do not knock trays out of the hands of other students
21. do not sharpen your pencil while the teacher is talking
22. do not pop milk cartons or bags in the cafeteria
23. do not copy homework
24. do not spit on the floor
25. do not cheat on tests

The Federal Government must also organize rules. If the only place that a rule could be found was in the Federal Register, any one looking for a rule would have to know the exact date on which the rule was passed. Instead, the rules made by the Federal Government are codified or organized into subject areas. The rule can then be found in the volume of the code that refers to the subject. These volumes are frequently revised. An example of some of the volumes available in the Code of Federal Regulations has been included.

. Why must law be organized in order to be most effective?
. How does a codified system help to protect procedural values?

Our statute law is also codified in the United States Code.

Select one of the following activities.

1. Research one of the famous law codifications of the past. The code of Hammurabi in Babylonia, the Code of Justinian in the Roman Empire, and the Code of Napoleon in France are all possible topics. Write a short paper on your research, showing why the codification was needed.

2. Design a Federal rule with which it would be very difficult to comply. Design a Federal rule with which it would be very possible to comply. Note how your two rules differ.

3. Debate the topic "Federal Rule-Making Is a Democratic Procedure" or prepare an essay on the topic.

federal register

The Federal Register is published daily, Monday through Friday, except on official Federal Holidays, by the Office of the Federal Register, National Archives and Records Service, General Services Administration, under the Federal Register Act and the regulations of the Administrative Committee of the Federal Register.

The Federal Register provides a uniform system for making available to the public regulations and legal notices issued by the Federal Government.

These include:

(a) Presidential proclamations
(b) Executive orders
(c) Acts of Congress
(d) Rules and regulations of Federal executive branch
(e) Proposed rules of Federal executive branch
(f) Notices of hearings, meetings, agency decisions, and statements of organization

The Federal Register includes a daily listing of Public Laws (statute law) and of administrative rules and regulations. The documents included in this section are found in the Federal Registers of September 29, 1975 and October 22, 1975.

I

Office of the Secretary
(Dept. Circular, Public Debt Series
No, 31-75)

TREASURY NOTES OF SERIES N-1977

The Secretary of the Treasury announced on October 16, 1975, that the interest rate on the notes described in Department Circular-Public Debt Series-No. 31-75, dated October 10, 1975, will be 7½ percent per annum. Accordingly, the notes are hereby redesignated 7½ percent Treasury Notes of Series N-1997. Interest on the notes will be payable at the rate of 7½ percent per annum.

DAVID MOSSO,
Fiscal Assistant Secretary.

(FR Doc. 75-284111 Filed 10-21-75;8:45 am)

II

SECURITIES AND EXCHANGE
COMMISSION
(File No. 500-1)

CANADIAN JAVELIN, LTD.
Notice of Suspension of Trading

October 15, 1975.

The common stock of Canadian Javelin, Ltd. being traded on the American Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Canadian Javelin, Ltd. being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

THEREFORE, pursuant to Section 12 (k) the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange is suspended, for the period from October 16, 1975 through October 25, 1975.

By the Commission

(Seal) GEORGE A. FITZSIMMONS,
Secretary.

(FR Doc. 75-28397 Filed 10-21-75;8:45 am)

III

DEPARTMENT OF STATE
(Public Notice CM-5/102)
FINE ARTS COMMITTEE

Meeting

The Fine Arts Committee will hold its Fall meeting on Tuesday, November 18, 1975 at 10 a.m. in the John Quincy Adams State Drawing Room in the Diplomatic Reception Rooms, Department of State.

The agenda will include a summary of the work of the Fine Arts Committee since its last meeting, the announcement of all gifts and loans during the calendar year 1975, as well as the Committee's plans for the coming year.

The meeting is open to the public. The public may take part in the discussion as long as time permits and at the discretion of the Chairman. Because of State Department security requirements, anyone wishing to attend the meeting should telephone the Fine Arts Office before Friday, November 14, 1975, Area Code (202) 632-0298 to make arrangements to enter the building.

CLEMENT E. CONGER,
Chairman, Fine Arts Committee.
September 15, 1975.

(FR Doc. 75-25913 Filed 9-26-75; 8:45 am)

IV

MISSISSIPPI SANDHILL CRANE
Determining Critical Habitat; Extension of
Comment Period

This notice extends the period for comments to the proposal, published September 3, 1975 (40 FR 40521), determining critical habitat for the Mississippi sandhill crane, an endangered species.

The Fish and Wildlife Service has decided that this extension will allow persons affected by the proposed regulations additional comment time, as requested, and enable the Service to receive as broad a range of responses as possible. The comment period is hereby extended to October 31, 1975.

Dated: October 17, 1975

KEITH M. SCHREINER,
Acting Director
Fish and Wildlife Service

(FR Doc. 75-28467 Filed 10-21-75;8:45 am)

(No. 75-946)

CHAPTER V-FEDERAL HOME LOAN BANK BOARD

Deletion of Obsolete Regulations

October 15, 1975.

The Federal Home Loan Bank Board, by Resolution No. 75-650, dated July 31, 1975, proposed to delete the Regulations for District of Columbia Savings and Loan Associations and Branch Offices. Notice of such proposed rulemaking was duly published in the FEDERAL REGISTER on August 6, 1975 (40 FR 33055), with an invitation for interested persons to submit written comments by September 8, 1975.

On the basis of its consideration of all relevant material presented by interested persons and otherwise available, the Board considers it desirable to adopt the proposed amendments. Accordingly, the Board hereby deletes Parts 581, 582, 582a and 582b of said regulations, effective November 24, 1975.

Just Released

CODE OF FEDERAL REGULATIONS

(Revised as of July 1, 1975)

Title 31—Money and Finance Treasury	$4.90
Title 32—National Defense (Parts 1400–1599)	3.65
Title 37—Patents, Trademarks, and Copyrights	2.10
Title 41—Public Contracts and Property Management (Chapters 3–6)	6.05

Organization	Employees in United States	Personnel Outside United States	Total Paid Employees			
			Jan. 1, 1975	Jan. 1, 1974	Jan. 1, 1965	Jan. 1, 1955
Executive Office of the President	2,845		2,845	3,241	1,924	1,111
Executive Departments	1,586,003	[1]111,203	1,697,206	1,658,912	2,085,046	2,023,263
1. Department of Agriculture	102,106	1,220	103,326	105,907	98,162	70,267
2. Department of Commerce	34,904	210	35,114	33,875	55,901	43,460
3. Department of Defense	950,364	84,906	1,035,270	1,028,816	1,019,382	1,179,813
Office of the Secretary of Defense	72,707	1,625	74,332	73,256	39,855	1,876
Department of the Air Force	249,923	19,426	269,349	271,212	291,183	304,496
Department of the Army	332,273	37,181	369,454	365,908	361,691	464,557
Department of the Navy	295,461	26,674	322,135	318,440	326,653	409,884
4. Department of Health, Education, and Welfare	143,202		143,202	131,042	83,417	36,656
5. Department of Housing and Urban Development	16,825		16,825	17,241		
6. Department of the Interior	73,936	266	74,202	68,513	61.616	49,808
7. Department of Justice	50,233	821	51,054	48,516	32,439	30,249
8. Department of Labor	13,734	5	13,739	12,859	9,043	4,917
9. Department of State	10,116	22,041	[2]32,175	33,225	41,328	20,988
10. Department of Transportation	71,516	826	72,342	68,823		
11. Department of Treasury	119,067	908	119,975	110,095	85,524	79,117

[1]Total American citizens, 47,702; nationals of other countries, 63,501
[2]Includes AID: 8,717 employees-5,620 outside U. S., of whom 1,650 are American citizens.

Organization	Employees in United States	Personnel Outside United States	Total Paid Employees			
			Jan. 1, 1975	Jan. 1, 1974	Jan. 1, 1965	Jan. 1, 1955
Independent Agencies	1,084,708	[3] 27,458	1,112,166	[4] 1,099,540	[5] 386,383	[6] 310,323
1. ACTION	1,427	529	1,956	1,933		
2. Administrative Conference of the United States	40		40	40		
3. Advisory Commission on Intergovernmental Relations	47		47	43	32	61
4. American Battle Monuments Commission	11	392	403	403	423	820
5. American Revolution Bicentennial Administration	161		161	95		
6. Appalachian Regional Commission	10		10	9		
7. Atomic Energy Commission	8,174	12	8,186	7,601	7,217	5,981
8. Civil Aeronautics Board	711		711	687	827	533
9. Commission of Fine Arts	7		7	7	6	3
10. Consumer Product Safety Commission	828		828	692		
11. Delaware River Basin Commission	2		2	2		
12. Environmental Protection Agency	10,764		10,764	10,406		
13. Equal Employment Opportunity Commission	2,255		2,255	1,826		
14. Export-Import Bank of the United States	429		429	401	297	134
15. Farm Credit Administration	215		215	209	230	1,072
16. Federal Communications Commission	1,977		1,977	1,793	1,529	1,094
17. Federal Deposit Insurance Corporation	2,749	6	2,755	2,632	1,387	1,087
18. Federal Energy Administration	3,269		3,269			
19. Federal Home Loan Bank Board	1,427		1,427	1,297	1,248	
20. Federal Maritime Commission	290		290	292	238	
21. Federal Mediation and Conciliation Service	491		491	436	437	362
22. Federal Power Commission	1,319		1,319	1,230	1,110	633
23. Federal Reserve System	1,372		1,372	1,279		
24. Federal Trade Commission	1,621		1,621	1,556	1,150	593
25. Foreign Claims Settlement Commission	63		63	47	201	182
26. General Services Administration	38,335	79	38,414	37,400	34,821	25,858
27. Indian Claims Commission	44		44	44	20	13
28. Inter-American Foundation	68		68	56		
29. Interstate Commerce Commission	1,983		1,983	1,855	2,398	1,821
30. National Aeronautics and Space Administration	25,504	21	25,525	26,387	33,503	
31. National Capital Planning Commission	64		64	65	51	18
32. National Credit Union Administration	575		575	499		
33. National Foundation on the Arts and the Humanities	1,882		1,882	1,321		
34. National Labor Relations Board	2,465		2,465	2,451	2,136	1,178
35. National Mediation Board	101		101	106	127	108
36. National Science Foundation	2,387	3	2,390	2,138	1,426	370
37. National Transportation Safety Board	279		279	271		
38. Occupational Safety and Health Review Commission	171		171	153		
39. Overseas Private Investment Corporation	132		132	135		
40. Panama Canal Company	88	15,592	15,680	15,363	15,112	15,790
41. Postal Rate Commission	81		81	76		
42. Railroad Retirement Board	1,730		1,730	1,685	1,769	2,390
43. Renegotiation Board	192		192	195	191	606
44. Securities and Exchange Commission	1,888		1,888	1,697	1,384	694

Organization	Employees in United States	Personnel Outside United States	Total Paid Employees			
			Jan. 1, 1975	Jan. 1, 1974	Jan. 1, 1965	Jan. 1, 1955
45. Selective Service System	2,551	48	2,559	3,803	7,442	7,486
46. Small Business Administration	4,519	93	4,612	4,544	3,518	756
47. Smithsonian Institution	2,933		2,933	3,005	2,022	948
48. Susquehanna River Basin Commission	2		2	2		
49. Tennessee Valley Authority	25,837	4	25,841	24,097	16,500	22,712
50. U. S. Arms Control and Disarmament Agency	263		263	218	234	
51. U. S. Civil Service Commission	8,143	21	8,164	7,153	3,762	4,106
52. U S. Commission on Civil Rights	257		257	245	102	
53. U. S. Information Agency	3,289	5,663	8,952	9,011	11,798	9,537
54. U. S. International Trade Commission	359		359	[7]328	[7]281	[7]195
55. U. S. Postal Service	711,598	2,838	714,436	720,864	[8] 598,234	[8] 507,928
56. U. S. Water Resources Council	52		52	49		
57. U. S. Veterans Administration	207,277	2,157	209,434	197,153	171,560	177,723
Total, Executive Branch (124,685 WOC)	2,673,556	138,661	[9] 2,812,217	2,761,693	2,473,353	2,334,697
Total, Legislative Branch			[10]35,083	[11]31,603	[12]25,471	[12]21,677
Total, Judicial Branch			6,789	8,397	5,862	4,160
Total			2,857,089	2,801,693	2,504,686	2,360,534

[3]Total American citizens, 9,826; nationals of other countries, 17,632.
[4]Reflects total employees of all independent agencies existing as of January 1, 1975.
[5]Reflects total employees of all independent agencies existing as of January 1, 1965.
[6]Reflects total employees of all independent agencies existing as of January 1, 1955.
[7]Listed as U. S. Tariff Commission on 1955, 1965, and 1974 charts.
[8]Listed as Post Office Department on 1955 and 1965 charts.
[9]Does not include the Central Intelligence Agency.
[10]Includes Congress, Architect of the Capitol, U. S. Botanic Garden, General Accounting Office Government Printing Office, Library of Congress, Cost Accounting Standards Board, National Study Commission and U. S. Tax Court.
[11]Includes the Congress, General Accounting Office, Library of Congress, Government Printing Office, Architect of the Capitol, U. S. Tax Court, and Cost Accounting Standards Board.
[12]Includes the Congress, General Accounting Office, Government Printing Office, Library of Congress, and the Architect of the Capitol.

The Problems

Examine the following real stories about real students. The names have been changed to protect both the guilty and the innocent.

- What actions could have been taken to help or punish these students?
- Why did the usual procedures or rules not work in these cases?

Chi was a Vietnamese refuge. She had studied both English and French in school in Vietnam. She had also had four years of "science" and wanted to be a pharmacist. Based on this background, she was placed in an eleventh grade English class, a third year French class and in Advanced Biology and Advanced Chemistry. Chi read English reasonably well but could not understand spoken English. Her Vietnamese science class had been an all lecture class with no experiments required. She was lost in both Advanced Biology and Chemistry.

Mike was a bright senior in high school who did reasonably well in class. He hoped to go on to college. His first senior history essay showed symptoms of a reading disability called dyslexia. When he was tested by the school reading center, it was discovered that he read on the second grade level. His class performance has covered this disability. Although remedial reading training was begun, he only read on a fourth grade level when he left high school. The next year he tried college and dropped out.

Mariann was an excellent student who was polite and charming. Her boyfriend, Bill, was also a good student known for his good school citizenship. In September of their senior year in high school, they began to write their own excuses. By using good sentence structure and grammar, neat permanship, and expensive stationery, they managed to skip 40 days of school without being caught.

Read the following criticisms of the Federal Food Stamp Program.

Decide which of these criticisms result from problems with the procedures of the program and which result from problems with the administration of these procedures.

a) Federal food stamp officials have not been seeking out eligible persons in order to enroll them although the program states this must be done.

b) Federal food stamps are sometimes counterfeited. Genuine stamps may be sold on the black market for liquor or cash.

c) Welfare recipients are automatically eligible for food stamps, while all other applicants must prove their eligibility under a complicated formula.

d) Federal food stamps are frequently only available at certain specific locations such as post offices. Often those who need the stamps have difficulty reaching the place where the stamps are sold.

e) Because stamps are sold in monthly lots, poor people may not be able to scrape together enough cash to purchase the stamps they need.

f) The food stamp program, begun as a pilot project in 1962 and now available in all counties in the United States, will probably cost 6.6 billion dollars this year.

g) Federal employees have sometimes been indifferent or abusive to food stamp applicants. The elderly particularly complain about this problem.

h) Food stamp applicants have been subject to long delays, even in emergency cases.

THE FEDERAL BUREAUCRACY - THE SECRET AGENCY IN AN OPEN SOCIETY

For national security purposes, certain operations of the Federal bureaucracy remain secret.

Examine the announcement of the meeting. (See below)

- Why does the statute permit the administrators to hold a secret meeting?
- What democratic procedure is not being followed?
- Identify the two values that are in conflict here.

Columnist Art Buchwald believes that using secret classification is perhaps not as necessary to national security as the Federal bureaucracy would have us believe.

Read Buchwald's column. (See Page 98 .)

- What does Buchwald state as the main reason for classifying documents?
- What percentage of documents classified does Buchwald think are actually classified for purposes of national security?
- How does this columnist use exaggeration to make an important point?

Examine the cover letter sent to the President from the Commission on the Central Intelligence Agency Activities within the United States. (See page 102.)

- How was this commission established?
- Why did the President establish this commission?
- How is the President using his administrative power to limit the power of other Federal administrators?

The Report to the President from the Commission on CIA Activities within the United States actually is nearly 300 pages long. It includes information on several CIA operations designed to gather intelligence within the United States. The chapter on "Operation CHAOS" describes one of the CIA activities investigated by the commission.

DEPARTMENT OF DEFENSE

Office of the Secretary

DEFENSE SCIENCE BOARD

Advisory Committee Meeting

The Defense Science Board will meet in closed session on October 23-24, 1975 at the Pentagon, Arlington, Virginia.

The mission of the Defense Science Board is to advise the Secretary of Defense and the Director of Defense Research and Engineering on scientific and technical matters as they affect the perceived needs of the Department of Defense.

A meeting of the Board has been scheduled for October 23 and 24, 1975 to discuss interim findings and tentative recommendations resulting from on-going Task Force activities associated with Strategic, Tactical, Intelligence-Command, Control and Communication, and Management issues. The Board will also discuss plans for future consideration of scientific and technical aspects of specific strategies, tactics, and policies as they may affect the U.S. national defense posture.

In accordance with section 10(d) of Appendix I, Title 5, United States Code, it has been determined that this Defense Science Board meeting concerns matters listed in section 552 (b) of Title 5 of the United States Code, specifically subparagraph (1) thereof, and that accordingly this meeting will be closed to the public.

MAURICE W. ROCHE,
Director, Correspondence and
Directives, OASD (Comptrolier).

September 24, 1975.
[FR Doc. 75-25880 Filed 9-26-75; 8:45 am]

FOR EYES ONLY

To begin with, all branches of the government classify documents. The more classified documents a department has in its files, the more important it considers the work it is doing.

The lowest government classification for a classified document is LOU, which stands for Limited Official Use. This classification could be stamped on a document to announce a softball game, an office party, the vacation schedule of department heads or what one must do in case of a nuclear bombing attack. (After the attack, report to your nearest post office and wait for instructions.) Almost anyone in the government family has access to LOU's, and you'll usually find mail-room boys reading them on elevators between deliveries of interoffice mail.

The next designation is CONFIDENTIAL, which is really between LOU and SECRET. CONFIDENTIAL could have some security information in it (for example, not only would it give the time of the softball game, but who was pitching for the other side). Fewer people are allowed to see a CONFIDENTIAL memo than a LOU. (In the case of a nuclear bombing attack, a CONFIDENTIAL memo might tell you what to do if the post office wasn't there.)

(Art Buchwald, I Never Danced At the White House. G.P. Putnam's Sons. Copyright by author 1971. Reprinted by permission.)

After CONFIDENTIAL comes SECRET. A SECRET document is so categorized on a N to K basis (Need to Know). Only those people who are actually involved in the project are supposed to have access to SECRET documents. They have an urgency to them that demands: "Deal with this before coffee break."

The next classification is TOP SECRET. It's hard for someone in the government to tell the difference between SECRET and TOP SECRET, other than when reading a TOP SECRET message your palms sweat more.

The final classification is LIM DIS, standing for Limited Distribution. A LIM DIS is TOP SECRET with hair on it. The highest classification known publicly is LIM DIS FEO (For Eyes Only). If you get one of those, it means you were in some way responsible for the nuclear attack. (See paragraph 3 of this article.)

Now the important thing to understand is why people in the government classify their documents. Here is a scientific breakdown of reasons and percentages. The reasons a paper is classified are:

1. To make the person who wrote the document look important-10 percent.

2. To make the person reading the document think he is more important than he really is-10 percent.

3. To keep secretaries and file clerks busy during slack periods-15 percent.

4. To be on record in case someone ever calls you on a mistake someone else in the department made-10 percent.

5. To make sure that press will take it seriously when you declassify it-10 percent.

6. To impress the public with your frankness when you declassify it-10 percent.

7. To protect the person (or persons) who were responsible for making the mistake(s)-25 percent.

8. National security-5 percent.

Read "Operation CHAOS." (See Page 103.)

- What is a dissident? What is dissidence?
- What official was demanding information from the CIA on domestic dissidents?
- What was done with the information that was gathered? Why was the computer an important part of Operation CHAOS?
- What kinds of information were gathered? Why was the information not edited more carefully?
- Why was "Operation CHAOS" not reviewed by the officials within the CIA?
- Why could "Operation CHAOS" not be fully reviewed by Congress?

When the Central Intelligence Agency was created by President Truman and Congress in 1947, the statute law carefully limited the CIA to activities related to foreign intelligence.

- How was that statute law violated by "Operation CHAOS"?

In 1975, both the House of Representatives and the Senate established Select Committees on Intelligence.

- Why are these committees needed?

Examine the Preamble to the Constitution and Amendments I and IV. (See Page 104.)

- Why do we need the CIA?
- What is the danger of maintaining the CIA?
- What is the value conflict when a democratic society maintains a secret bureaucracy?

- List several situations in which you believe the CIA should act.
- List several situations in which you believe the CIA should not act.
- How much power would you permit the CIA to have?

- If possible, compare your list with the lists of others in the class.
- How do the lists differ?
- Why doesn't every citizen draw the line between proper and improper conduct in the same place?

In 1974, a Federal statute called the Privacy Act was passed. The purpose of the act was to protect citizens from having information about them gathered and stored without control. The act attempts to give citizens access to information filed about them and to limit the use of such files.

A portion of the Tennessee Valley Authority's report on its record system as published in the Federal Register for October 22, 1975 has been included.

Examine the report headings. (See page 105.)

- What information about its filing system must the TVA give?
- Why is a Privacy Act important in a computer age?
- How does the Privacy Act add to the procedures that officials must follow?
- How do government procedures protect citizens?
- How do government procedures hinder citizens?
- Why is this conflict basic to the way a bureaucracy works? Identify the value conflict.

Illustrate this value conflict through one of the following activities:

1. Do a poster.
2. Draw a cartoon.
3. Write an essay.
4. Draw a diagram.

COMMISSION ON CIA ACTIVITIES WITHIN THE UNITED STATES
Washington, DC 20500

Nelson A. Rockefeller,
Chairman
John T. Connor
C. Douglas Dillon
Erwin N. Griswold
Lane Kirkland
Lyman L. Lemnitzer
Ronald Reagan
Edgar F. Shannon, Jr.

David W. Belin,
Executive Director

June 6, 1975

The President
The White House
Washington, D.C.

Dear Mr. President:

Your Commission to Investigate CIA Activities within the United States, having completed its assignment in accordance with Executive Order No. 11828 of January 4, 1975, herewith submits its final report.

Respectfully,

Nelson A. Rockefeller, Chairman

John T. Connor

C. Douglas Dillon

Erwin N. Griswold

Lane Kirkland

Lyman L. Lemnitzer

Ronald Reagan

Edgar F. Shannon, Jr.

"Operation CHAOS"

Responding to Presidential requests to determine the extent of foreign influence on domestic dissidence, the CIA, upon the instruction of the Director of Central Intelligence, established within the Counter-intelligence Staff a Special Operations Group in August 1967, to collect, coordinate, evaluate and report on foreign contacts with American dissidents.

The Group's activities, which later came to be known as Operation CHAOS, led the CIA to collect information on dissident Americans from its overseas stations and from the FBI.

Although the stated purpose of the Operation was to determine whether there were any foreign contacts with American dissident groups, it resulted in the accumulation of considerable material on domestic dissidents and their activities.

During six years, the Operation compiled some 13,000 different files, including files on 7,200 American citizens. The documents in these files and related materials included the names of more than 300,000 persons and organizations, which were entered into a computerized index.

This information was kept closely guarded within the CIA to prevent its use by anyone other than the personnel of the Special Operations Group. Utilizing this information, personnel of the Group prepared 3,500 memoranda for internal use; 3,000 memoranda for dissemination to the FBI; and 37 memoranda for distribution to high officials.

The Operation ultimately had a staff of 52, who were isolated from any substantial review even by the Counter-intelligence Staff of which they were technically a part.

Two Presidents and their staffs made continuing and insistent requests of the CIA for detailed evaluation of possible foreign involvement in the domestic dissident scene. The Agency's repeated conclusion in its reports that it could find no significant foreign connection with domestic disorder led to further White House demands that the CIA account for any gaps in the Agency's investigation and that it remedy any lack of resources for gathering information.

Most of the officers assigned to the Operation were analysts who read the materials received by it and extracted names and other information for indexing in the computer system used by the Operation and for inclusion in the Operation's many files. It appears that, because of the great volume of materials received by Operation CHAOS and the time pressures on the Operation, little

judgment could be, or was, exercised in this process. The absence of such judgment led, in turn to the inclusion of a substantial amount of data in the records of the Operation having little, if anything, bearing upon its foreign intelligence objective.

An extreme example of the extent to which collection could go once a file was opened is contained in the Grove Press, Inc., file. The file apparently was opened because the company had published a book by Kim Philby, the British intelligence officer who turned out to be a Soviet agent. The name Grove Press was thus listed as having intelligence interest, and the CHAOS analysts collected all available information on the company. Grove Press, in its business endeavors, had also produced the sex-oriented motion picture, "I Am Curious Yellow" and so the Operation's analysts dutifully clipped and filmed cinema critics' commentaries upon the film.

The Constitution

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

(The first 10 Amendments were ratified December 15, 1971, and form what is known as the "Bill of Rights.")

AMENDMENT I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

AMENDMENT IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

TENNESSEE VALLEY AUTHORITY
PRIVACY ACT OF 1974
Notice of Systems of Records

TVA-29

System location: Division of Power Marketing, Tennessee Valley Authority, Chattanooga, Tennessee 37401.

Categories of individuals covered by the system: Individuals residing in households which are participating in an electric load metering survey program.

Categories of records in the system: Information relating to individual's income, work, home, and family size, which may be relevant to the household's use of electricity.

Authority for maintenance of the system: Tennessee Valley Authority Act of 1933, 16 U. S. C. 831-831dd.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To the distributor assisting TVA in the survey to enable employees of the distributor to help TVA with the survey program.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders, magnetic tape, and discs.

Retrievability: Records are indexed by an ID number assigned to each household.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. All filing systems are locked when unattended.

Retention and disposal: Survey information will be retained until completion of the program and then be distroyed.

System manager(s) and address: Director, Division of Power Marketing, Tennessee Valley Authority, Chattanooga, Tennessee 37401.

Notification procedure: Individuals about whom information is maintained in this system of records are aware of that fact through participation in the program. However, inquiries may be addressed to the system manager named above. Requests should include the individual's full name and address.

Record access procedures: Requests for access may be directed to the system manager named above.

Contesting record procedures: Individuals desiring to contest or amend information about them maintained in this system should direct their request to the system manager named above.

Record source categories: The information in this system is solicited from the individual to whom the record pertains by employees of the distributor assisting TVA in the survey.

2. On page 38691, the first routine use in the routine use paragraph of system TVA-11 (Payroll records-TVA) which presently reads "To report earnings to the Social Security Administration and the Internal Revenue Service" is proposed to be revised to read as follows: to report earnings and other required information to federal, state, and local taxing authorities as required by law.